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TELECOMMUNICATIONS POLICY COMMITTEE

MINUTES

1987

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SF
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1/26/87

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF JANUARY 26, 1987

CALL TO ORDER AND ROLL CALL

The Vice Chair (Esteves) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Chair Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Rhonda Abrams, Gwen Dilworth-Battle, Roberto Esteves, Hal Layer, Will Leong, Sue Levitin, and Michael Singsen were present.

Members absent: George Kelsey and Emily Pike were absent.

Staff present: Dick Hoss; Contractors: Connie Brand, Andrea Torrice

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the minutes of the November 24th and December 9th monthly meetings were approved.

THE EXECUTIVE COMMITTEE REPORT

Esteves reported on developments concerning the franchise window period proceedings. He said that he had talked with Deputy City Attorney Len Snaider earlier in the day and that Snaider was awaiting a formal response from Viacom Cablevision. Levitin reported that Viacom Cablevision is formulating a legal position and that she may receive more information on January 30th.

3 88543 SERL: ECONO TAB
133 SERL 09/27/02 29

The City Attorney's office will study the response when it receives a copy and will then make a presentation to the TPC which will enable it to make formal recommendations to the Committee on Culture and Recreation.

MOTION: The TPC shall advise Supervisor Ward, by letter, that the three-year window period findings should not be calendared for February 5th because the City Attorney's office is awaiting Viacom Cablevision's response to the TPC's findings document. Seconded and carried.

APPROVAL OF THE BUDGET REQUESTS

Hoss reported that the Board of Supervisors approved the six-month access development budget contained in Resolution 1094-86 on December 22nd and that the Mayor signed it on December 24th. Fiscal agents will continue to handle the funds until the supplemental appropriation process is completed. The fiscal agents will then turn the funds over to the Controller.

The Rules Committee, on January 15th, approved the TPC's request for General Funds for FY 1987-88 and also the twelve-month access development budget for the same period. The requests are now part of the Mayor's budget which will be heard by the Finance Committee this Spring. Copies of the budgets (attached) were distributed.

THE ANNUAL REPORT

The Chair said that the TPC annual report will be presented for approval at the February meeting. It will be

brief, be prepared by staff, and be presented to the Executive Committee on February 9th, and to the TPC at its February meeting. A discussion ensued about Viacom Cablevision's annual report to the TPC and whether it is part of the TPC's annual report per se or simply a report to the TPC. The consensus was that the Viacom Cablevision annual report is a separate matter although it has been attached to the TPC report in the past.

THE THREE-YEAR PLAN

Esteves reported that the target date for completion is March 1st. The contents of the three-year plan will have a controlling influence on the contents of consultant contracts. The three years planned will run from July 1, 1987 to June 30, 1988; July 1, 1988 to June 30, 1989; and July 1, 1989 to June 30, 1990.

AMENDMENTS TO THE BROWN ACT (The California Open Meeting Law)

Hoss reported on amendments effective January 1st. Agendas must be posted 72 hours in advance in a location freely accessible to members of the public. The TPC will use the Board of Supervisors' bulletin board until the Main Library establishes an area where agendas can be posted.

No action may be taken on an item not included on the agenda unless the committee determines, by a two-thirds

vote, that the need for action arose after the agenda was posted. Boards and commissions may adopt reasonable regulations including limitations on the total amount of time allocated for public testimony and the amount of time allocated for each speaker. A discussion ensued as to how to provide time for members of the public since they are no longer confined to the agenda.

The TPC's views included the notion that it may comply with the public comment requirement by allotting fifteen minutes at the beginning and end of the meeting. Mr. Michael Spain, a video producer, presented his views on how the TPC should provide for comment; and the matter was then referred to the Policy Committee for detailed study.

EVALUATION OF STAFF

Esteves reported that the Executive Committee's plan for staff/contractor evaluation provides for evaluation by TPC members who have supervised the work in question. Brand will be evaluated by Dilworth-Battle, Esteves and Pike. Torrice will be evaluated by Singsen and Emily Pike. Hoss will be evaluated by the Executive Committee and the Clerk of the Board.

An extended discussion ensued. Abrams requested that members not on the evaluation teams be contacted for input and not simply instructed to contact the evaluators if they want to do so.

The discussion included a question as to the propriety of evaluating contractors in the same style that is used for evaluating employees. The signal testing contract and the survey were cited as examples where the final work product was evaluated without a discussion of the contractors' personalities.

The discussion included the question of whether volunteers should evaluate persons who are contracting with the City rather than with fiscal agents. The transition from consulting contracts with fiscal agents to the City's standard contracts was discussed. The TPC discussed the relationship of the contractors to the Clerk of the Board and to the TPC; and discussed the scope of the Clerk's interest in supervising the contracts. The Chair reported that Emily Pike will take an active role in the transition process and will probably contact the Clerk of the Board when she returns from the hospital. A member of the TPC will be designated as contract coordinator on the new consulting contracts. The point system which was attempted last year will not be repeated. Hoss will be evaluated by the form used for City employees.

Abrams reminded the Chair that she has asked for an hour of Executive Session time to discuss extension of contracts, the management audit's recommendation concerning the CAO's office' general working relationships and other

personnel matters. The Chair acknowledged the request but did not set a date for the action.

ELECTION OF OFFICERS

All offices were declared open for nomination. Will Leong was nominated for Chair; Hal Layer for Vice Chair; and Emily Pike for Treasurer. Nominations were closed and the officers were elected by acclaimation.

THE VIACOM CABLEVISION REPORT

Sue Levitin commenced with the construction report by posting a map on the wall. The map superimposed the 1983 construction plan on a 1974 version of the Bureau of Engineering map and showed the areas wired, to be wired by 12/88, and the two complexes which declined service.

Levitin reported that Viacom Cablevision commenced 1987 construction in November of 1986.

The Cathedral Hill wiring area -- all underground construction is completed. Viacom Cablevision is splicing cable and installing technical equipment (taps and amplifiers). The estimated completion date is late February of 1987.

In the Western Addition III wiring area, pole applications have been received. Engineering and design work is completed and construction has started. Viacom Cablevision is now building aerial plant and will commence the underground phase in ten working days. The estimated completion date is late March of 1987.

In the South of Market wiring area, pole applications have been submitted. Engineering and design work is in progress. Construction will start in April of 1987 and the estimated completion date is in May.

.....

Levitin reported that the 1988 construction effort is ahead of schedule.

In the East of Market wiring area, construction will be completed this year. Pole applications have been submitted and engineering and design work is in progress. Construction work is scheduled to commence in mid-May of 1987 and be completed by late August.

The North Mission wiring area will be completed in 1987 rather than 1988 as required. Pole applications have been submitted and engineering is in progress. Design will start in February; and construction will commence in July. The estimated completion date is in August of 1987.

The North of Market wiring area will be constructed in 1987 rather than 1988 as required. Pole applications are not required and engineering is in progress. Design will commence in February and and construction is scheduled to commence in August. The estimated completion date is in late November of 1987.

The Chinatown Extension wiring area will be completed in 1987. Pole applications have been submitted and engineering is in progress. Design will commence in February and construction is scheduled to start in November. The estimated completion date is in December of 1987.

Viacom Cablevision will then wire the "pocket areas" and perform "rebuild" work to bring all areas up to a 52 channel capacity.

The ensuing discussion included the topics of how many residents live outside of the franchise boundary area; the possibility of legislation ensuring tenants' rights to be wired; and whether the building code should require conduit space for cable in new buildings.

Other Viacom Cablevision Matters

Levitin distributed copies of the January SPUR newsletter (attached) which announced the commencement of a new series on Channel 6 concerned with public policy issues facing the City. Viacom Cablevision is producing the series which will begin with a discussion entitled: "Are office buildings the factories of the future or the relics of the past?"

Levitin distributed copies (attached) of a single page announcement of programming on Channel 6 and a description of the availability of Channel 25. Viacom Six has added "Electric City Video" - a half-hour monthly series which focuses on gay issues.

Levitin distributed copies (attached) of a two-page FCC Notice entitled "Cable Rate Regulation in 1987".

THE EDUCATIONAL ACCESS SUBCOMMITTEE

Dilworth-Battle distributed copies of a SFUSD proposal (attached) to develop the cable headend at the John O'Connell High School. The CCSF has also made a proposal for a headend. Dilworth-Battle said that the Subcommittee will develop guidelines for proposals for use of TPC money.

The Subcommittee will meet on January 28th and much time will be devoted to finalizing the three-year plan. The Subcommittee commenced work on the plan in December.

Dilworth-Battle reported on staff activity and concerns. Brand is working with lighting vendors to obtain three qualified bids for the studio work at John O'Connell High School.

THE MUNICIPAL SERVICES SUBCOMMITTEE

Esteves said that the people attending Subcommittee meetings have displayed an impressive amount of synergistic energy in creating and structuring a municipal services program. The Subcommittee has experienced a constant influx of new people displaying a cooperative spirit and offering new ideas.

The Subcommittee's portion of the three-year plan is being developed. Esteves was asked if the Subcommittee planned on using the John O'Connell High School studio site. Esteves said that plans for a new Main Library may provide studio space for municipal use but that if a studio is included, the construction will be far in the future. Therefore, municipal services producers will use the only studio developed by the TPC -- the John O'Connell High School site.

The Police Department's microwave system was discussed. Brand distributed copies of a staff report (attached), dated January 26th and included a description of municipal/educational access development activity.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen commenced the report by distributing a Viacom Cablevision letter (attached) which posed 40 questions from Viacom concerning the public access corporation proposal. He described work done-to-date on the response and said that the reply will not purport to speak for the TPC on items which the TPC hasn't dealt with and will not attempt to speak for the non-profit corporation in areas reserved to it. Singsen alluded to a body of TPC's written positions which can be drawn upon for responses to some of the questions. Other questions can only be answered by the non-profit corporation after it is formed. Singsen said that, in some instances, he is formulating answers in his capacity as a member of the public rather than a TPC member. He agreed that TPC letterhead will not be used on the project.

Abrams asked for assurance that the response does not involve Torrice's energies to the extent that she cannot perform her contractual duties. Singsen said that Torrice will not write the response to the forty questions.

Leong asked if a good reason existed for not asking the TPC to approve the final response. Singsen replied that the final response will be the product of an ad hoc working committee and not the TPC or the Public Access Subcommittee. The TPC agreed that the origin of the

document will be fully explained to Supervisor Ward when it comes up.

The Subcommittee's efforts to stimulate the formation of an interim Board of Convenors was discussed. Abrams asked if the Subcommittee was engaged in a lobbying effort to form an entity of nebulous antecedents. Torrice said that the people contacted are all from the TPC approved list of proposed interim board convenors. Singsen said that he is aware of the caveat concerning issuance of invitations under the TPC auspices and does not object to having the Executive Committee evaluate whether additional TPC sponsored invitations should be issued.

MOTION: The TPC directs the Executive Committee to evaluate whether additional TPC sponsored invitations should be issued to potential members of the Board of Convenors of the public access corporation. Seconded and Carried.

Torrice reported on purchase of a computer. She distributed copies of her December/January staff report (attached) and the announcement (attached) of the March 12th Public Service Announcement day at Channel 25.

Torrice referred to the proposed question and answer sheet concerning public access and asked for comments. She said that she submitted the document for approval but has not received much feedback to date.

NEW BUSINESS AND PUBLIC COMMENT TIME

Mr. Michael Spain, a producer, asked for an interpretation of the 1981 amendment which requires Viacom Cablevision to provide channels for municipal and educational access not to exceed two channels of a 52 channel system. He was told that the Section 2 provisions call for two dedicated channels - one for municipal access and one of educational access. He asked for assurance that municipal and educational access will not be required to share a single channel and that the second dedicated channel will not be designated as the second public access channel. Mr. Spain was told that the public access channel provision is separate from the section under discussion -- that the section provides two dedicated channels, one for educational access and one for municipal services.

Mr. Spain asked how Viacom Cablevision might interpret the portion of the "findings document" which calls for two public access channels when the system goes to 52 channels. Members noted that the Public Access Producers' Association, rather than the TPC, generated the request for two public access channels. Mr. Spain was told that no one knows how Viacom Cablevision interprets anything in the findings document until Viacom's written response is received.

Spain concluded by stating that he thought that Viacom Cablevision is a actively opposed to the formation of a public access corporation. Levitin said that that is not the case.

ADJOURNMENT

The TPC adjourned at 6:02 a.m. The Committee will meet on February 10th.

SPUR REPORTS

ViacomSix - The City Station

CATV - Channel 6

ARE OFFICE BUILDINGS THE FACTORIES OF THE FUTURE, OR THE RELICS OF THE PAST?

TUESDAY, JANUARY 27 - 7:00 P.M.
WEDNESDAY, JANUARY 28 - 8:00 P.M.

DEAN MACRIS, City Planning Director
WILLIAM WITTE, Director, Mayor's Office of Housing and Economic Development
MICHAEL McGILL, Executive Director, SPUR

Beginning this month, SPUR and Viacom commence a new series concerned with public policy issues facing San Francisco. Our first program addresses the City's economic future following passage of Proposition M. ViacomSix, the City Station is a local cable television station operated by Viacom Cablevision. This station creates and originates programming that is of special interest to people in the City.

SPUR
312 Sutter Street
San Francisco
California 94108

Non-Profit Org.
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1-06

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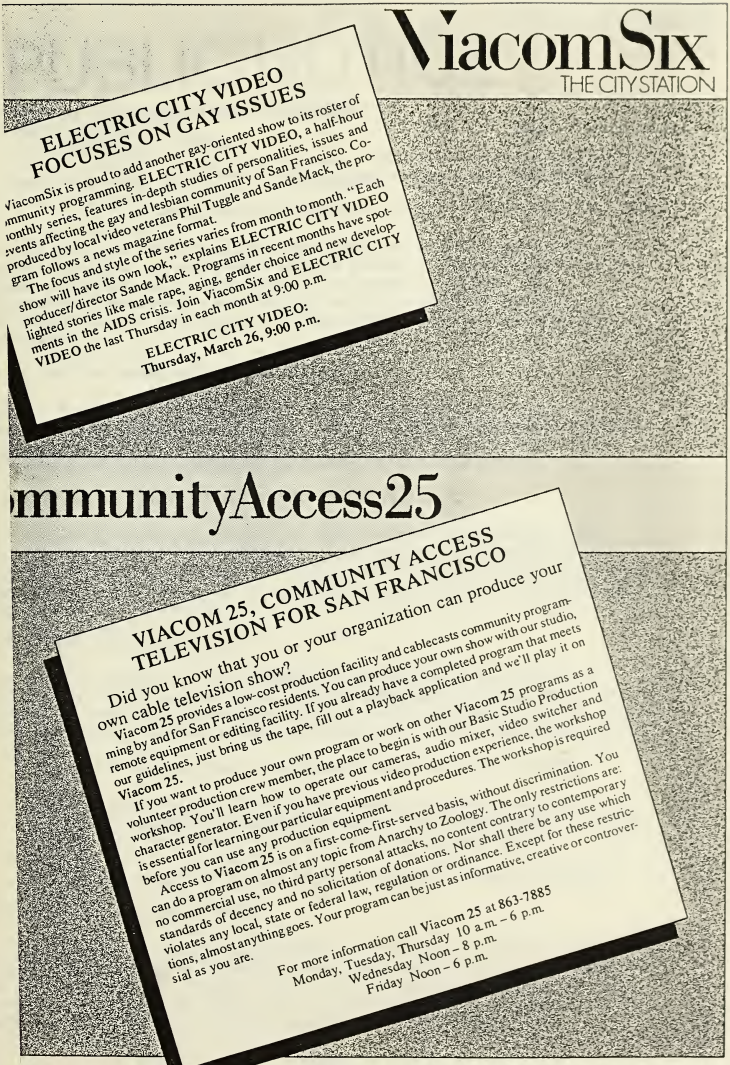
ViacomSix
THE CITY STATION
ELECTRIC CITY VIDEO
FOCUSES ON GAY ISSUES
ViacomSix is proud to add another gay-oriented show to its roster of community programming. ELECTRIC CITY VIDEO, a half-hour monthly series, features in-depth studies of personalities, issues and events affecting the gay and lesbian community of San Francisco. Co-produced by local video veterans Phil Tuggle and Sande Mack, the program follows a news magazine format.
The focus and style of the series varies from month to month. "Each show will have its own look," explains ELECTRIC CITY VIDEO producer/director Sande Mack. Programs in recent months have spotlighted stories like male rape, aging, gender choice and new developments in the AIDS crisis. Join ViacomSix and ELECTRIC CITY VIDEO the last Thursday in each month at 9:00 p.m.
ELECTRIC CITY VIDEO:
Thursday, March 26, 9:00 p.m.
mmunityAccess25
VIACOM 25, COMMUNITY ACCESS
TELEVISION FOR SAN FRANCISCO
Did you know that you or your organization can produce your own cable television show?
Viacom 25 provides a low-cost production facility and cablecasts community programming by and for San Francisco residents. You can produce your own show with our studio, remote equipment or editing facility. If you already have a completed program that meets our guidelines, just bring us the tape, fill out a playback application and we'll play it on Viacom 25.
If you want to produce your own program or work on other Viacom 25 programs as a volunteer production crew member, the place to begin is with our Basic Studio Production workshop. You'll learn how to operate our cameras, audio mixer, video switcher and character generator. Even if you have previous video production experience, the workshop is essential for learning our particular equipment and procedures. The workshop is required before you can use any production equipment.
Access to Viacom 25 is on a first-come-first-served basis, without discrimination. You can do a program on almost any topic from Anarchy to Zoology. The only restrictions are: no commercial use, no third party personal attacks, no content contrary to contemporary standards of decency and no solicitation of donations. Nor shall there be any use which violates any local, state or federal law, regulation or ordinance. Except for these restrictions, almost anything goes. Your program can be just as informative, creative or controversial as you are.
For more information call Viacom 25 at 863-7885
Monday, Tuesday, Thursday 10 a.m. – 6 p.m.
Wednesday Noon – 8 p.m.
Friday Noon – 6 p.m.

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

1245

News media information 202/254-7674. Recorded listing of releases and texts 202/632-0002.

CABLE RATE DEREGULATION IN 1987 December 24, 1986

As a result of the Cable Communications Policy Act of 1984, enacted by Congress two years ago, most cable systems across the country will be subject to basic subscriber rate deregulation as of December 30, 1986. In anticipation of questions we expect may arise, the staff of the Cable Television Branch of the Commission's Mass Media Bureau has prepared this Public Notice.

WHEN DID THE 1984 CABLE ACT GO INTO EFFECT?

President Reagan signed the Cable Act into law on October 30, 1984. It became effective on December 29, 1984. The FCC adopted regulations designed to implement the Act's rate deregulation provisions in April 1985. These provisions were later modified by reconsideration in June 1986.

HOW HAVE MY RATES ALREADY BEEN AFFECTED BY THE CABLE ACT?

If your cable system was franchised by your community after December 29, 1984, all subscriber rates have been free of regulation, unless it is not subject to "effective competition" (see below). For cable systems franchised before December 29, 1984, only the rates for service tiers in the non-basic category were free of regulation.

WHAT IS "EFFECTIVE COMPETITION"?

Pursuant to the Cable Act, the Commission has determined that effective competition to cable service exists within a community whenever the community is served by three over-the-air television broadcast signals, none of the three duplicating the others, that meet one of the following criteria:

1) the signal places a Grade B contour over the community;

2) the signal is significantly viewed within the community ("significantly viewed" means that the signal meets a certain level of off-air viewing within the community); or

3) the signal is from a locally licensed translator station.

WHAT HAPPENS TO MY RATES IN 1987?

With the passage of the Cable Communications Policy Act of 1984, as of December 30, 1986, basic subscriber service rates of all cable systems, regardless to when they had been franchised, will be free of regulation, unless the cable system is not subject to "effective competition." No federal, state, or local government body can act in any way to reinstitute such regulation.

(over)

January 16, 1987

1-21-87

Emily Pike, Chair
Telecommunications Policy Committee
1182 Market, Room 421
San Francisco, CA 94102

Dear Ms. Pike:

This letter is the San Francisco Unified School District's proposal for assistance to develop the cable headend at John O'Connell. The support we seek comprises a small percentage of the total investment that the school system is planning for the creation of a production and cable originating facility.

Of the complete studio which is estimated to cost $120,000, we are asking for partial support for the purchase of a character generator system which will allow for continuous information on the cable channel screen when programs are not being fed. In addition, this character generator will allow for the titling of productions made in the studio.

We have initially selected the Laird Telemedia Model 1500 which sells for $9,000. In order to make this piece of equipment fully operational, we require , in addition, the following support equipment: a modulator, for $2,000; a battery-operated power supply, $2,000, in order to insure continued operation in the case of a local power failure; a reliable broadcast standard monitor, $1,200; and installation racks, $800.

These prices are approximated, but the entire system should not cost more than $20,000 by the time that the grant is awarded, as prices seem to continue to fall. In addition, if further engineering review deems a different model or make machine desirable, we would of course change to a similarly-priced but improved machine.

Separate grant applications are in the process of being developed to foundations that have asked to receive proposals from SFUSD in relation to the creation of a television production studio. Their request of a proposal from us is limited, so that we need your support in order to obtain this particular item, the character generator and affiliated equipment.

The District will be committing considerable resources to this educational cable channel, including, but not limited to, the studio space and personnel.

Please advise of us of any additional information you may require for you to give this proposal your consideration.

Thank you for your attention.

Sincerely,

Daniel del Solar

cc.Linda Davis

City College of San Francisco

Division of San Francisco Community College District

50 Phelan Avenue • San Francisco, California 94112 • (415) 239-3

RECEIVED
11-21-86
CB

PROPOSAL FOR BUDGET FOR 1987

Written by Phil Brown

Obviously my proposal will envolve spending the money for City College. This is how I would spend the money the pieces of equipment I would buy:

Tektronix Wavefor Vector Scope # 1740	$ 4,000
TBC, F-A 400 TBC	4,700
Character Generator	4,000
One Video DA	500
One audio amp and monitor	400
One color monitor	500
One black and white monitor	300
One reel to reel audio tape recorder	2,000
One sub band modulator (only if Viacom does not provide)	2,000
Total	$18,400

The Broadcasting Dept. has the space to install the equipment. In addition the technical staff of the BCST. Dept. would install the equipment as part of their regular duties at no cost to the TPC. The BCST. Dept. would also supply all necessary wire and connectors.

This proposal would give us the ability to send educational information generated by a device called a CG (sort of like a computer). With this system we would not be able to distribute video tapes. The capability for distribution of video tapes would be the next step which I assume the college would fund

If the equipment bought by the TPC were available by May of 87 it would be installed and functional by the end of 87. It is not realistic to assume that the College could act that fast because of budget and purchasing procedures. The equipment funded by the College would be ready for use by the fall of 88.

However, with the CG capable head-end installed we would be ready to use the challen channel the second it was activated. If this were to happen in Jan. of 1988 the BCST. Dept. would, out of its budget, hire student workers to run the channel several hours a day. In addition the BCST. Dept. would make available one of its video tape recorders to allow limited distribution of pre taped programs, some of which could be provided out of our current library and some of which might be provided by other agencies such as SFUSD. There would also be the possibility of feeding, on a limited basis, some live programing from our color studio.

I hope you will give this proposal serious consideration.

By: Phil Brown

GOVERNING BOARD: Ernest "Chuck" Ayala, President • Rev. Amos C. Brown, Sr., Vice President
Robert E. Burton • John Riordan • Julie Tang • Dr. Tim Wolfred • Alan S. Wong
Hilary Hsu, Chancellor Superintendent

MUNICIPAL/EDUCATIONAL ACCESS STAFF REPORT
January 26, 1987

ACTIVITIES

PROGRAMMING/INTERDEPARTMENTAL PRODUCTION

1. Contacted the following departments and agencies:
   * Alemany Day Treatment Center, Dept. of Public Health
   * San Francisco Airport
   * Juvenile Court
   * Fire Department
   * Bureau of Building Inspection, Dept. of Public Works
   * San Francisco General Hospital Patient Education Center
   * Dept. of Social Services
2. Assisted departments with the following productions:
   *Eldercare, Dept. of Public Health, coverage of workshop on seniors and spirituality for health educators training.
3. Assisted departments or agencies with the following grants:
   *"Heartflash", District Health Center #5, budget preparation and copyright research.
   * Senior project, Office of Senior Information, transferred funds to Library production account pending grant for print materials.
4. Assisted the following departments with postproduction, tape copies or distribution:
   * Municipal Court training tape on traffic fines bureau.
5. Training:
   * Arranged with Bay Area Video Coalition equipment time for municipal video workshops.
   * Trained Municipal Court staff on the operation of their VHS equipment.
6. Researched equipment and applications:
   * Community Mental Health - VHS video equipment for portable field production, and editing system.
   * Bureau of Building Inspection, Department of Public Works, VHS video system for training.
7. Purchased the following equipment for Interdepartmental productions:
   * Totalights kit: 3 lights and stands, barndoors, reflecting umbrella, gels, and replacment bulbs.
   * 2 SONY lavalier microphones, one Shure omni microphone, and audio cables.
8. Contacted Keith Grand, City Risk Manager's Office again about video equipment insurance.

VIDEOTEX

1. Researched Dominion Directories equipment, Cable Atlanta's and City of Iowa City's videotex systems.
2. Checked with Texscan on 1987 prices.

JOHN O'CONNELL SCHOOL

1. Revised and obtained Superintendent Cortines' signature on the KALW Radio/TV and TPC Memo of Understanding concerning the O'Connell Studio.
2. Received estimate from Holzmueller on lighting renovation in the studio and cyclorama.

ADMINISTRATIVE

1. Received City College proposal for equipment and copied Educational Subcommittee.
2. Revised and copied Educational Access 20-month plan.
3. Municipal and Educational Subcommittee meeting and hearing notices and agendas.
4. Municipal minutes for December meeting.
5. Arranged City service time on productions with Sheriff's Work Furlough Program.
6. Attended EIPSC Telecommunications Steering Committee meeting.
7. Prepared budget spreadsheet for Will Leong.
8. Prepared Educational Access fiscal year budget with Gwen Dilworth-Battle, Will Leong, and Hal Layer.
9. Revised Municipal and Educational 6 month and fiscal year budgets twice per TPC recommendations; researched City Chart of Accounts; revised budgets according to City format; submitted these to Dick for Culture and Recreation hearing; attended hearings.
10. Drafted Civil Service Commission classification forms, reviewed with Roberto and John Taylor for approval, submitted to Civil Service staff; attended hearing.
11. Reviewed City contract boilerplate with Dick Hoss.
12. Financial Report for Executive Committee.
13. Discussion with Budget Analyst's staff and Controller's office regarding the John O'Connell studio funds.
14. Letter to KALW Radio/TV concerning the Educational Access Subcommittee request for a proposal for 1987; received proposal; copied Subcommittee.
15. Staff report for December and January.
16. Revised Municipal Access three year plan per Subcommittee recommendations.
17. Prepared Municipal Access timeline according to 3 year plan.
18. Picked up donations of used videotapes from KTSF.
19. Released checks for fiscal agent fees and supplies.
20. Learned new Wang word processing software.

PROBLEMS/CONCERNS

1. Is it the Committee's desire that I investigate becoming a Proposition J contractor? This procedure and the Controller's approval removes the requirement to have Civil Service Commission hearings on this contract.

2. Dave Fong of the Controller's Office has reassured me concerning the obligations of the TPC to spend the Educational Access funds on the John O'Connell studio. He will assign an account at the time of the transfer of funds to the Controller.

EVALUATION

1. My main priorities are to complete the Request for Proposals for the John O'Connell lighting renovation; and the videotex equipment as soon as possible. My second priorities are to write two grants. December was devoted almost completely to the budget process and purchasing equipment; I am concerned that the Committee not request adding items to my workload until April.

ViacomCablevision
MORE OF WHAT YOU'RE LOOKING FOR

November 12, 1986

Mr. Michael Singsen
Mr. George Kelsey
Co-Chairs
Public Access Sub-Committee
Citizens Telecommunications Policy Committee
1182 Market Street
San Francisco, CA 94102

Dear Michael and George,

As you requested at our last meeting, I am attaching a list of questions from Viacom, with regard to the proposal to form a non-profit access corporation (PAC--Public Access Corporation).

The questions reflect a variety of concerns of many people in the Company, both in San Francisco and at the Cable Division headquarters in Pleasanton, and cover a range of subjects that include policy, funding, structure, and operations. Bill Tierney, who is Director of Government Relations at our headquarters, has been particularly helpful and will be attending our meeting of November 12th to contribute his expertise and experience as a former member of the Board of Directors of the National Federation of Local Cable Programmers.

Be assured that we share your goal for the ultimate success of the PAC and that our questions simply reflect our desire to continue to best serve our customers.

Sincerely,

Sue

Sue Levitin
Director of Public Affairs

2055 Folsom
San Francisco
California 94110

Telephone
415 863-8500

A Division of
Viacom International Inc.

QUESTIONS PROPOSED BY VIACOM CABLEVISION, SAN FRANCISCO
IN RESPONSE TO:
PROPOSAL TO CREATE A NON-PROFIT PUBLIC ACCESS CORPORATION (PAC)
APPROVED BY THE TPC ON APRIL 18, 1986

1. Why is there a need for an access corporation?

2. How does the PAC proposal of April 18, 1986 relate to the Public Access requests in the Window Year revision suggestions?

3. What is the PAC relationship to the Board of Supervisors? to CTPC? to Viacom?

4. Why is this proposal limited to Public Access, rather than including Municipal and Educational Access?

5. How will the corporation be staffed?

6. How will the PAC be evaluated as to attainment of goals and whether it is or is not successful, and what are the benchmarks?

7. At what future date will responsibilities be expanded for the PAC?

8. Is there a trial period for the PAC? If it fails to meet objectives and timelines, what is the responsibility of the City and Viacom?

9. Why is the PAC duplicating services currently handled by the Public Access contractor, e.g., outreach, training, advice on Public Access policy?

10. Where will the Public Access facility be located? What plans are available to avoid conflicts of noise and operations between Channel 6 and Channel 25?

11. Is it anticipated that there will be any equipment needs over and above what is currently available? How will this be funded?

12. What is the proposed budget for the PAC? What are the funding sources? How much is needed from each source and for how long? Who has ultimate authority over the budget? What is the financial reporting plan? What are the expenses?

13. Do all funding issues comply with S66? Are there conflicts?

14. What is the plan, current status and timeline for matching Viacom's $25,000 access grant in 1987 and 1988?

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15. Is there a proposal for funding from other sources? What is the probability of obtaining grants? Which organizations will be contacted for support?

16. Is there a plan for membership? What portion of the budget will this support?

17. Why will discussion with Viacom be initiated to discuss further sources of funding? What does this mean? Does this conflict with S66?

18. What is the current response from the suggested Board of Convenors? Which organizations have shown interest?

19. Where are current access users represented on the Board of Convenors?

20. Is the process of nominating a Board of Convenors based on a current working model? What is it?

21. Can people sit on the PAC board as well as the TPC? Can people on either board be employed by the Public Access Corporation?

22. How can a conflict of interest be avoided if the Board of Convenors consists of both media organizations and grant making institutions?

23. How can a group managing Channel 25 also determine grant recipients, without a conflict of interest? What structure would avoid conflict?

24. If the PAC assumes management and control of Public Access, what is the relationship to Viacom with regard to employees: hiring, supervision, accountability, etc., and to the facilities. What is the definition of "community control" of the local resources--what are the "resources?"

25. What liability proposal is offered to protect Viacom in the case of measurable loss of paying customers due to offensive programming?

26. How do you propose to protect Viacom from liability suits that may arise from programming by the PAC?

27. What considerations have been given to alternative modifications to present operations?

28. In November 1985, Viacom increased administrative support for Channel 25 by combining these operations with Channel 6. What evidence has been shown that these operations need further change?

29. Has there been an analysis of complaints at Channel 25 to determine the goals and objectives for the PAC? What has been the nature of complaints?

30. Channel 25 is currently an asset to Viacom. What procedure do you propose for the taking of this asset? How would a value be assigned?

31. Internship development duplicates services offered currently by Viacom. How would this differ?

32. Viacom currently maintains a Public Access policy of first-come-first-serve without discrimination. Why are certain groups designated for special use? Does this remain within the realm of Public Access, or does this imply editorial processes?

33. How will specific groups be singled out as targeted audience for publicity campaign? Is this an editorial conflict?

34. Define "communities underserved" by Channel 25--what does underserved mean? Is this an editorial conflict?

35. Why is there a priority for defining community centers for two-way cable origination points--who are the potential users and what are the benefits?

36. Why should access users be exposed to another layer of bureaucracy, which is costly to maintain and duplicates current services?

37. What efforts have been made to use existing resources, e.g., training through City College courses?

38. What is "appropriate" media technology (page 1)?

39. TPC is a policy committee, appointed by the Board of Supervisors to advise the Board. Do they have the authority to be an oversight committee determining Public Access policy and management?

40. Ultimately, the cable customers pay for the non-profit funding. Have they been polled to determine their interest if rates are raised to support this?

PUBLIC ACCESS SUBCOMMITTEE STAFF REPORT
DECEMBER/JANUARY 1986-87

COMMUNITY OUTREACH

The Public Access Subcommittee decided to begin to solicit names for the Interim Board of Directors from the PAC even though the PAC proposal has not been reviewed by the Culture and Recreation Committee. The following organizations chose a representative for the Interim Board.

Potrero Hill Neighborhood House
Chinese for Affirmative Action
San Francisco Community Boards
San Francisco Tomorrow
Film Arts Foundation
Association of Independent California Film and Video Producers
City College
National Asian American Telecommunications Association
Pacific Education Network
NAACP
Gray Panthers
Self-Help for the Elderly
West-Bay Multi Service Center for Filipinos
Fort Mason Foundation
Women's Foundation
North of Market Planning Coalition
Western Addition Cultural Center

Other organizations will be submitting their nominations in the next month. A meeting of all nominees will be scheduled in February or March.

ADMINISTRATIVE

Prepared several revisions of January - June 1987, and July 1987 - June 1988 budgets for the TPC, and the Culture and Recreation Committee.

Processed EISPC computer papers to purchase a computer.

PROBLEMS/CONCERNS

The Chair of the Public Access Subcommittee decided not to purchase the IBM computer from the City's vendor (IBM Corporation) in order to get a better price at another vendor. The budget analyst informed us that this was now possible, and suggested we take this course.

You are invited to take part in

Community Access

Cable Channel 25's

PSA DAY!

Friday, March 13th
1-5 P.M.

Community Access Channel 25
will videotape your organization's
30- or 60-second Public Service Announcement
in studio at **NO COST!**
The PSA's will be aired on Channel 25
continuously throughout the month of October.

HOW TO PARTICIPATE:

- You **must** sign up no later than February 20. Space is limited. To sign up call 621-4224.
- You must prepare your own script and on-camera talent. If you need help writing your script, call 621-4224.

QUESTIONS? CALL 621-4224

Sponsored by the Public Access Subcommittee of the Telecommunications Policy Committee, City of San Francisco, and Viacom Cablevision.

PROPOSED TPC BUDGET
January 1, 1987 - June 30, 1987

		General Funds	Access Reserve	.2% Tax	$25,000 Grant	Access Subtotal	Total
001	Permanent Salaries Misc. Employee	$18,283					$18,283
002	Temporary Salaries			974		974	974
060	Mandatory Fringe Benefits	5,100					5,100
022 2220	Capital Outlay Equipment Purchase — Communications		3,224	6,890	3,612	13,726	13,726
100	Professional Services 1000 Professional Services						
	Bilingual Subscriber Survey	24,000					24,000
	"Never subscribed survey	14,635					14,635
	Public Access Coord Contract			4,859	7,179	12,038	12,038
	Muni/Educ Access Coord Contract			14,663		14,663	14,663
	1002 Legal Services		1,000			1,000	1,000
106	Data/Word Processing Equipment Maint. 1060 Equipment Maintenance		528			528	528
112	Travel	1,023					1,023
113	Training 1130 Public Access Training		6,000			6,000	6,000
	1209 Municipal Services			555		555	555
120	Other Current Services A Total of the Lines Immediately Below						
	1232 Telephone	527					527
	1235 Subscriptions	238					238
	1236 Printing - Not City						
	General Fund	300					300
	Public Access				754	754	754

		General Funds	Access Reserve	.2% Tax	$25,000 Grant	Access Subtotal	Total
	1281 Subsidies (Producers' Grants)		6,540			6,540	6,540
	1299 Other Current Svc. General Fund	98					98
130	Materials and Supplies 1300 General Funds	802					802
	1303 Data Processing		300			300	300
	1399 (P.A. video tapes)				400	400	400
144	Membership Dues	200					200
146	Rental of Property	3,390					3,390
220	Equipment Purchase 2220 Muni Cable Information		6,275			6,275	6,275
231	Data/Word Processing Equipment Computer		3,093			3,093	3,093
350	Reproduction Bureau - Room 50	314					314
351	City Mail Services	243					243
389	Services of Other Departments 3890 Miscellaneous Depts			2,614		2,614	2,614
	TOTAL	$69,153	$26,960	$30,000	$12,500	$69,460	$138,613

PROPOSED TPC BUDGET
BUDGET EXPLANATIONS
January 1, 1987 -- June 30, 1987

001 Permanent Salaries/Misc. $18,283

No new employment is requested. The requested funding represents continuation of top-step Senior Management Assistant.

002 Temporary Services $974

Public Access Development Funds are requested to pay clerical support for a visually handicapped contractor.

060 Mandatory Fringe Benefits Six Months $5,100

This amount is based on the amount of Senior Management Assistant's permanent salary subject to fringe benefits.

100 Professional Services
1000 Professional Services $24,000

The TPC has $24,000 in FY 1986-87 funds to complete surveys of the foreign language population who were unable to respond to earlier surveys.

1000 Professional Services $14,635

The TPC has carried-over $14,635 in funds allocated to survey the City's "never have subscribed to cable" population. The funds are under discussion for use in a study of the effects of Viacom Cablevision's recent change of basic programming which resulted from a recent Supreme Court decision and from changes in the FCC "must-carry" regulations.

1000 Professional Services 14,663

The Telecommunications Policy Committee requests six months' funding to continue to contract with a Municipal/Educational Access Coordinator to coordinate City and County interdepartmental video productions and training workshops; provide staffing to municipal and educational advisory subcommittees; develop a municipal cable information service using videotex; write grants; assist in planning City-wide telecommunications; and provide technical assistance in developing educational and municipal access facilities.

1000 **Professional Services** 12,038

The TPC requests six month's funding to continue the Public Access Development Coordinator's contract which includes community outreach and public information for public access; to oversee a community training program and a producer's grants program; and to assist in the development of a non-profit public access corporation.

1002 **Legal Services** $1,000

The TPC budgeted $1,000 for legal consultation to assist with the creation of a non-profit public access corporation (PAC). A proposal to create the PAC is pending approval by the Board of Supervisors. The TPC was directed by ordinance to establish such an organization. The TPC assumes the PAC will be founded in 1987.

106 Data/Word Processing
1060 Data/Word Processing Maintenance $528

The TPC had requested in 1985 the purchase of a computer for Municipal/Educational Access development. The Board of Supervisors approved this request in January 1986. The Clerk of the Board disallowed inclusion of the request in the Board of Supervisors' EIPSC Project Request. Therefore, the funds allocated for computer purchase, maintenance, and software could not be spent in 1986, and are indicated here as 1986 reserve funds. (See also 2312 - Equipment Purchase and 1303 - Data Processing Supplies).

112 Travel $1,023

The TPC participates in the proceedings of two national cable associations which feature "tracks" or sets of simultaneous sessions on various topics. In order to cover the two topics of greatest interest to the program, municipal services and community television, more than one committee member is needed to attend some conferences because sessions are scheduled at the same time.

The TPC participates in regional meetings of Women in Cable; and of the League of California Cities which has a "track" which covers the computer, cable and telecommunications.

113 Training
1130 Public Access Training 6,000

The TPC requests $6,000 to establish a public access development training program with four community centers (Mission Cultural Center, Western Addition Cultural Center,

the Womens' Building and Chinese for Affirmative Action) to provide training for non-profits, citizens, arts and social service organizations in the skills necessary to create new community programs for Channel 25. These workshops will supplement an orientation workshop currently provided by Viacom Cablevision.

The TPC has targeted a lack of training opportunities in community producing as one of the main reasons for a low percentage of locally produced programs on Channel 25. The workshops will be offered free of charge to any S.F. resident or community organization on a first-come, first-served basis. The end product of each six-week workshop will be six public service announcements or community programs for Channel 25.

The TPC investigated the idea of using other institutions, such as CCSF, SFSU and the Bay Area Video Coalition to provide these workshops. It was found, however, that these institutions were not appropriate for Channel 25 producers because the classes were too expensive, lasted too long (17 weeks) and were geared to people who wanted to become video professionals, and did not use the kind of equipment available at Channel 25.

The $6,000 has been reserved pending the approval of $9,440 by the Board of Supervisors for the non-profit public access corporation.

Explanation of costs: one workshop for six weeks (six Saturdays) will cost $1,000; and there will be six workshops at a total cost of $6,000

Each Workshop	
Instructor's Fee	$500
Video Equipment rental/supplies	500
	===
	$1,000

1209 Training 555

The Municipal Access program will sponsor internal training workshops for City and County employees in video production for training and public information purposes.

120 OTHER CURRENT SERVICES

This object includes the subobjects set forth below.

1232 -- Telephone Service $527

The TPC's telephone traffic includes consultation with other cities. Responses to inquiries from other cities frequently involves long distance charges.

The amount requested has increased because the TPC's office now provides space for two persons contracting to coordinate municipal services and public access development. The contractors' scope of activity requires long distance traffic.

1235 -- Subscriptions $238

The TPC subscribes to the five major journals published in the cable television field and also to the Matthew Bender "Cable Television Law" reporting services.

1236 -- Printing - not City $300

The TPC carries money in this account for map work and other printing not available at the City Reproduction Center. But the bulk of the TPC printing activity is under Object 350, the City Repro Center in Room 50.

1236 -- Printing - not City $754

Public access printing -- The TPC requests the money for the printing of brochures and flyers of a type that the City Reproduction Center doesn't print.

1281 -- Subsidies (Producers' Grants) $6,540

The TPC requests $6,540 for a community producers' grants program. The funds are to provide equipment and funds to community members who are unable to cover costs of producing a public access program. $3,440 has been reserved by the Board pending approval of $9,440 for the non-profit public access corporation. The TPC is requesting these funds be released in 1987.

1299 -- Other Current Services $98

The TPC receives and dispatches some items which have a time value. Therefore, it occasionally needs messenger service.

130 Materials and Supplies

1300 The TPC purchases materials and supplies for the use of three persons in its office. The cost has gone up slightly because of anticipated price increases.

The TPC sent a Request for Information to international vendors in August in search of this type of videotex system. Only one vendor was able to offer a system with a telephone link over a cable tv system. A second vendor will be offering a cheaper and more flexible system in early 1987. The TPC is requesting the carry forward of capital funds for the purpose of considering the second vendor's system once it is offered for sale.

One terminal only would be purchased for programming in the first six months of 1987. The second terminal will be purchased for sending the signal onto the cable system during Fiscal Year 1987-88. The system will become interactive in Fiscal Year 1988-89. The total cost for the system is estimated to be $19,000.

2220 Equipment Purchase - Communications $13,725

The TPC's Educational Access Subcommittee requests funds to establish a cable tv "headend" for the educational channel which will be available in 1988. The TPC is negotiating between CCSF and SFUSD for operation and maintenance of the channel.

2312 Equipment Purchase - Computer $3,093

The TPC had requested in 1985 the purchase of a computer for Municipal/Educational Access development. The Board of Supervisors approved this request in January 1986. The Clerk of the Board disallowed inclusion of the request in the Board's EIPSC Project Request. Therefore, the funds allocated for computer purchase, maintenance, and software could not be spent in 1986, and are indicated here as 1986 reserve funds.

350 Reproduction $314

The TPC has an account with the City Reproduction Center in Room 50 for production of maps and enlargements and large off-set runs.

351 City Mail Services $243

The TPC uses the discount service available at the centralized mail room. It requests an $400 increase because the public access outreach activity has increased.

389 Services of Other Departments $2,614

Production funds for municipal access are budgeted to assist departments with interdepartmentally coordinated programs, providing training or public information about City and County services using existing resources.

12/10/8

APPROVED MUNICIPAL/EDUCATIONAL ACCESS BUDGET

JANUARY 1, 1987 - JUNE 30, 1987

		Access Reserve	.2% Fee	$25,000 Grant	Total
022	Capital Outlay				
2220	Equipment Purchases - Communications	3,224	6,890	3,612	13,726
2220	Municipal Cable Info	6,275			6,275
100	Professional Services				
1000	Muni/Educ Access Coord Contract		14,663		14,663
106	Data/Word Processing Equipment Maint.				
1060	Equipment Maintenance	528			528
113	Training				
1209	Municipal Services			555	555
130	Materials and Supplies				
1303	Data Processing	300			300
231	Data/Word Processing Equipment				
	Computer	3,093			3,093
389	Services of Other Departments				
3890	Miscellaneous Depts.		2,614		2,614
TOTAL		13,420	24,167	4,167	41,754

1/27/87

PROPOSED TPC BUDGET
July 1, 1987 — June 30, 1988

		General Funds	Access Reserve	.2% Tax	$25,000 Grant	Access Subtotal	Total
001	Permanent Salaries Miscellaneous Employee	$39,457					$39,457
002	Temporary Salaries			1,000		1,000	1,000
060	Mandatory Fringe Benefits	10,996					10,996
100	Professional Services						
	Public Access Coordinator Contract			15,742	8,333	24,075	24,075
	Muni/Educ Access Coordinator Contract			27,332	1,995	29,327	29,327
106	Data/Word Processing Equipment	1,054					1,054
109	Other Contractual Services						
	1241 Office Machine Rental	3,000					3,000
112	Travel						
	General Fund	5,900					5,900
	Educational Access				2,500	2,500	2,500
113	Training						
	1130 Public Access Training			1,000		1,000	1,000
120	Other Current Services						
	1235 Subscriptions	900					900
	1236 Printing - Not City						
	General Fund	500					500
	Public Access			1,200		1,200	1,200

12/12/86

		General Funds	Access Reserve	.2% Tax	$25,000 Grant	Access Subtotal	Total
120	Other Current Services (cont.)						
	1281 Subsidies (Producers' Grants)			500		500	500
	1299 Other Current Services General Fund	1,100					1,100
123	Telephone						
	1232 Telephone	2,000					2,000
130	Materials and Supplies						
	1300 General Funds	3,500					3,500
	1399 (P.A. video tapes)			558		558	558
144	Membership Dues	700					700
146	Rental of Property	7,458					7,458
220	Equipment Purchase						
	2220 Municipal Cable Information				6,338	6,338	6,338
	2220 Equip Purchase Communications Educational Access Headend			12,668	5,834	18,502	18,502
303	Real Estate Department	1,000					1,000
350	Reproduction Bureau - Room 50	400					400
351	City Mail Services	2,000					2,000
	TOTAL	$79,965		$60,000	$25,000	$85,000	$164,965

12/12/86

PROPOSED TPC BUDGET
General and Special Funds Combined
July 1, 1987 -- June 30, 1988

001 Permanent Salaries/Misc. $39,457

No new employment is requested. The requested funding represents continuation of top-step Senior Management Assistant.

002 Temporary Services $1,000

Public Access Development Funds are requested to pay clerical support for a visually handicapped contractor.

060 Mandatory Fringe Benefits $10,996

This amount is based on the amount of Senior Management Assistant's permanent salary subject to fringe benefits.

1000 Professional Services $29,327

The Telecommunications Policy Committee requests twelve month funding to continue to contract with a Municipal/Educational Access Coordinator to coordinate City and County interdepartmental video productions; provide staffing to municipal and educational advisory subcommittees; coordinate a municipal cable information service using videotex; write grants; assist in planning City-wide telecommunications; and provide technical assistance in developing educational and municipal access facilities.

1000 Professional Services 24,075

The TPC requests twelve month funding to continue the Public Access Development Coordinator's contract which includes community outreach and public information for public access; to oversee a community training program and a producer's grants program; and to assist in the development of a non-profit public access corporation.

112 Travel -- General Funds $5,900

The TPC participates in the proceedings of two national cable associations which feature "tracks" or sets of simultaneous sessions on various topics. In order to cover the three topics of greatest interest to the program, municipal and educational services and community

Explanation of costs: one workshop for six weeks (six Saturdays) will cost $1,000; an instructor's fee of $500 and video equipment rental/supplies of $500.

120 OTHER CURRENT SERVICES

This object includes the subobjects set forth below.

1235 -- Subscriptions $900

The TPC subscribes to the five major journals published in the cable television field and also to the Matthew Bender "Cable Television Law" reporting service.

1236 -- Printing - not City $500

The TPC carries money in this account for map work and other printing not available at the City Reproduction Center. But the bulk of the TPC printing activity is under Object 350, the City Repro Center in Room 50.

1236 -- Printing - not City $1,200

Public access development printing -- The TPC requests the money for the printing of brochures and flyers of a type that the City Reproduction Center doesn't print.

1281 -- Subsidies (Producers' Grants) $500

The TPC requests $500 for a community producers' grants program. The funds are to provide equipment and funds to community residents who are unable to cover costs of producing a public access program.

1299 -- Other Current Services $1,100

The TPC has a number of activities included in this subobject. Tenants of the Orpheum Building must rely on bottled water. The TPC receives and dispatches some items which have a time value. Therefore, it has a messenger service account. The access development budgets do not include funds for payment of unforeseeable current service requirements.

123 Telephone Service

1232 -- Telephone Service $2,000

The TPC's telephone traffic includes consultation with other cities. Responses to inquiries from other cities frequently involves long distance charges.

The TPC's office provides space for a City employee and two persons contracting to coordinate municipal services and public access development. Each person has a scope of activity which requires long distance traffic. The amount requested has increased because the access development budgets will not include telephone expenses this year.

130 Materials and Supplies

1300 Materials and Supplies $3,500

The TPC plans on purchasing materials and supplies for the use of the three persons in its office rather than allocate some of the costs to the access development budgets as in the past.

1399 Other Supplies $558

The TPC requests $558 for the purchase of video and audio tapes for the Public Access Subcommittee library and for the rental and purchase of books and video tapes on public access.

144 Membership Dues $700

The TPC is affiliated with the National Association of Telecommunications Officers and Advisors; and with the National Federation of Local Cable Programmers. The latter group held its national convention in San Francisco in 1986. In addition, the TPC belongs to the Cable Television Information Clearing Center.

146 Rental of Property $7,458

The TPC rents Room 421 of the Orpheum Building. It was advised by the Department of Real Estate to budget the amounts stated.

220 Capital Outlay

2220 Equipment Purchase - Communications $6,338

The TPC Municipal Access Subcommittee has recommended that information on City and County services should be available to the public by means of videotex, a kind of electronic type and graphics that is produced and transmitted as a video signal. The TPC has further determined that the videotex system most suitable for the municipal channel should be to be accessible by telephone from the cable subscriber's home. The channel will be activated in 1988.

The TPC sent a Request for Information to international vendors in August in search of this type of videotex system. Only one vendor was able to offer a system with a telephone link over a cable tv system. A second vendor will be offering a cheaper and more flexible system in early 1987. A videotex terminal will be purchased for sending the signal onto the cable system during Fiscal Year 1987-88. The system will become interactive in Fiscal Year 1988-89. The total cost for the system is estimated to be $19,000, purchased over a three-year period.

2220 Equipment Purchase - Communications $18,502

The TPC's Educational Access Subcommittee requests funds to establish a cable tv "headend" for the educational channel which will be available in 1988. The TPC is negotiating between CCSF and SFUSD for operation and maintenance of the channel.

350 Reproduction $400

The TPC has an account with the City Reproduction Center in Room 50. The amount requested this year is smaller because the TPC has requested permission to lease a copier.

351 City Mail Services $2,000

The TPC uses the discount service available at the centralized mail room. It requests an increase because the access outreach activity has increased and because the access development budget will no longer include postage funds.

12/12/86

Robert Estevez

City and County of San Francisco:

Office of City Attorney

Louise H. Renne,
City Attorney

RECEIVED
DEC 17 1986
LIBRARIANS OFFICE

December 10, 1986

TO: ALL BOARDS, COMMISSIONS AND DEPARTMENT HEADS

FROM: LOUISE H. RENNE
City Attorney
BURK E. DELVENTHAL
Deputy City Attorney

SUBJECT: Recent Amendments to the Brown Act Requiring Local Agencies to Post an Agenda 72 Hours before a Meeting, Prohibiting Action on Non-agenda Items, Allowing the Public to Speak at Meetings and Permitting a Court Action to Declare Null and Void Actions Taken in Violation of the Brown Act.

Assembly Bill 2674 was signed by the Governor on September 3, 1986. It makes several important changes to the Brown Act (Open Meeting Law) which will have an impact on the conduct of regular public meetings. These changes are applicable to public meetings before all legislative bodies unless otherwise indicated. A copy of the bill is attached to this memorandum. It should be read carefully as the changes will go into effect on January 1, 1987. A summary of the changes follows.

POSTING OF AGENDA

"Legislative bodies" (a broad term used by the Brown Act to describe all local boards and commissions) are required to post an agenda at least *72 hours* before the meeting "in a location that is freely accessible to members of the public." (Section 54954.2). The agenda must contain (1) a brief general description of each item to be transacted or discussed at the meeting; and (2) the time and location of the regular meeting. That "brief general description" must contain sufficient information to enable the informed citizen to know what will be before the legislative body.

The requirement that agendas be posted 72 hours before a public meeting in a location freely accessible to the public does not make clear whether the location must be freely accessible to the public for the entire 72 hours before a public meeting is held. School districts and community college districts currently have a similar posting requirement, though it only requires posting 48 hours prior to a public meeting. General practice has been that the agenda posting requirement was satisfied if the

agenda could be viewed during regular business hours, regardless of whether the public had access to the posted agenda for the entire required period. However, posting an agenda after 5 p.m. on Friday for a meeting on Tuesday in an location not freely accessible to the public after business hours or on the weekend, may well not comply with the agenda posting requirement. Accordingly, we have prepared an ordinance amending Section 8.16 of the Administrative Code to comply with the 72 hour requirement. In addition, the ordinance directs the City Librarian to designate an area in the library open to public access for the posting of agenda and to post all agendas in that public access area. This ordinance was submitted to the Board of Supervisors on Monday, December 8, 1986 and will be discussed at the Civil Service & General Administration Committee hearing on January 6, 1987.

NON-AGENDA ITEMS

The new law specifically provides "No *action* shall be taken on any item not appearing on the posted agenda." (Section 54954.2(a)). Exceptions to this provision are allowed only under the following conditions:

1. When a legislative body determines, by a majority vote, that an emergency situation exists. (See discussion below).

2. When a legislative body determines, upon a two-thirds vote, that the need to take action arose after the agenda was posted in accordance with the code requirements. If less than two-thirds of the members of the legislative body are present, there must be a unanimous vote of all the members present.

3. When the item was on a properly posted agenda for a meeting that was held not more than 5 days before the current meeting and the item was continued to the current meeting.

The recent amendments will have no effect upon the practice of placing on the agenda an item entitled "New Business" or "Director's Report." To the extent feasible, agenda items like "Director's Report" or "New Business" should contain an enumeration of those subjects that can be identified when the agenda is prepared. As to those items not identified in the agenda that do not qualify for one of the exemptions, the legislative body can calendar the item for a subsequent meeting or refer the matter to one of its committees.

OPPORTUNITY FOR PUBLIC TO SPEAK

Under the new law, the agenda must provide "members of the public" with the opportunity "to directly address the legislative body on items of interest to the public that are within the subject matter jurisdiction of the legislative body." (Section 54954.3)

Although a member of the public may speak on any item of public interest that is within the subject matter jurisdiction of the Board or Commission regardless of whether the item was on the agenda, that body may not take any action on any item not on the agenda except under the conditions set forth in Section 54954.2(b) (the exception to the agenda requirement).

defines action

The Brown Act defines "action taken" to mean "a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance. See Section 54952.6.

This language would seem to imply that discussion by members of the legislative body on matters raised by the public would be permissible, despite the general prohibition against legislative bodies discussing items not on the agenda. A contrary interpretation would be difficult to enforce and would serve only to deprive the public of any meaningful input.

While this section prohibits substantive action by the legislative body, the body may take certain procedural steps, such as referring a matter to the staff or to a future meeting or to a committee, without violating the prohibition against taking action. The legislative body may adopt regulations automatically making such a referral or authorizing the presiding officer to make such a referral.

There is a specific exemption that applies only to meetings of the Board of Supervisors. The agenda for a Board of Supervisors' meeting need not give the public an opportunity to speak on an item when that item has already been considered at a hearing of a committee of the Board of Supervisors and members of the public were given the opportunity to speak to the committee on that item. However, if the Board of Supervisors determines that an item has been *substantially changed* since the committee heard the item, members of the public must be given another opportunity to speak on the item at the Board of Supervisors' meeting.

The legislative body may adopt reasonable regulations to carry out the intent of this section. The regulations may include limitations on the total amount of time allocated for public testimony on particular issues and the amount of time allocated for each speaker. Those regulations may also provide when members of the public will be given an opportunity to speak at the meeting, whether as each item arises, or at a designated point in the agenda. If only one time is given for public discussion on agenda items, it should not be at the end of the meeting after the legislative body has already taken action, as that would appear to deprive the public of a meaningful opportunity to address the legislative body on the issues.

SPECIAL MEETINGS

Section 54956 of the Brown Act presently requires written notice to members of the legislative body and the media at least 24 hours prior to a special meeting. The amendment adds a requirement that the notice be posted at least 24 hours before the special meeting at a place freely accessible to the public.

Existing law requires that notices of special meetings of the governing boards of school and community college districts be posted at least 24 hours prior to the special meetings in a location freely accessible to the public. The amendment additionally requires that the notice specify the time and location of the meeting.

EMERGENCY SITUATION

A legislative body's authority to act on an item not on an agenda because of an alleged emergency includes situations where prompt action is necessary to address the disruption or threatened disruption of public facilities. A majority of the members of a legislative body must make a determination that one of the following emergency situations exist: (1) a work stoppage or other activity which severely impairs public health or safety; or (2) a crippling disaster which severely impairs public health or safety. In the event of an emergency situation, the legislative body may hold an emergency meeting pursuant to the provisions of Section 54956.5.

Section 54956.5 provides that all the provisions in Section 54956 relating to special meetings apply to emergency meetings except the 24-hour notice and posting requirements.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF FEBRUARY 10, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the monthly meeting to order at 4:23 p.m. at the Committee's office at 1182 Market Street. Treasurer Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave.

Members present: Dilworth-Battle, Kelsey, Leong, Levitin, and Singsen

Members absent: Abrams, Esteves, Layer and Pike

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The Committee did not immediately have a quorum. After a fifth member arrived, the agenda was adopted as written and the minutes of the January 26th monthly meeting were approved. Sue Levitin requested inclusion of the second page of FCC Public Notice 1245 in the attachments to the January 26th minutes.

A REPORT BY THE CHAIR

The Chair (Leong) awaited the arrival of a fifth member before calling the meeting to order. During the time that elapsed, the Chair made announcements and the Committee heard public comments.

PUBLIC COMMENT TIME

Mike Spain requested inclusion in the minutes of his recommendation that Section 2 of the franchise be amended to provide that 10% of any channels in excess of 52 channels in the future be dedicated to Public-Educational-Governmental (PEG) cablecasting rather than be dedicated, as presently, to municipal and educational use. A discussion ensued as to whether or not minutes are intended to be a transcript of everything said at a meeting or whether they are summary in nature. The discussion also included the question of whether or not an observer has an interest in the minutes other than not being misquoted.

Spain then commented on the efficacy of asking the public to comment at the beginning of a meeting and stated his belief that the public should be allowed to comment on items as they are on the table. A discussion ensued as to the efficacy of permitting non-members to interject comments throughout the meeting.

Spain stated his belief that the Committee should not have done anything until a quorum was present. A discussion ensued as to whether or not a rule of silence would be enforceable.

Leong (Chair) said that the TPC did not conduct business in the absence of a quorum. Spain restated his opinion concerning lack of a quorum several times and was ruled out of order by the Chair who said that Spain had

exceeded the time which the TPC provides for public comment. Spain restated his objections and asked where he could complain about the TPC's method of conducting meetings. He was referred to the Clerk of the Board.

Leong said that he believed that Spain had engaged in abuse-of-process. Leong found Spain to be in violation of the TPC's public testimony rule and said that Spain will not be recognized in the future unless he observes the TPC's rules.

THE CHAIR'S REPORT RESUMED

Leong proposed that the TPC establish the second Tuesday of each month as the regular meeting date. A consensus developed that that would be an agreeable schedule. Leong recommended a more abbreviated form of mailing information to members. Matters pertaining to the monthly meeting will be sent separately on the Wednesday preceding the meeting. Monthly meeting material will be succinct, readable documents and subcommittee reports and other background information will not be included in the monthly meeting mailings.

Kelsey said that he found the minutes to have an excessive number of attachments in view of the date on which they arrived at members' homes. The Chair took responsibility for the timing of the February mailing. A discussion ensued as to whether or not the TPC's minutes

include too many attachments. A consensus developed to the effect that Hoss is to be selective about what is attached to minutes sent to TPC members.

Leong announced subcommittee appointments for the year. Members will retain their present subcommittee assignments with the exception of Layer who will leave the Consumer Services Subcommittee to take a seat on the Executive Committee and Esteves who will do the opposite. The Committee approved the appointments by acclaimation.

A discussion ensured concerning reorganization of the Board of Supervisors' committee system and members expressed curiosity about which committee will handle cable.

The Committee tabled discussion of the annual report until the March meeting at which time a draft will be distributed. The TPC will vote on the report at its April meeting. The Chair recommended a length of approximately twelve pages. The TPC adopted a resolution calling for submission of a draft by the time of the March meeting and the taking of a vote of approval at the April meeting.

The staff and contractors made brief reports.

THE VIACOM CABLEVISION REPORT

Sue Levitin alluded to the small amount of time which had elapsed since the January 26th meeting and the length of the report which she made then. Levitin reported that

the fourth quarter of 1986 wiring report was issued and sent to the CAO and the TPC. She has met with the CAO's employee who is assigned to cable matters. Levitin said that the National Amusement Company is attempting an unfriendly takeover bid for the control of Viacom.

Committee members then discussed Viacom Cablevision's one dollar ($1) rate increase which occurred on January 1st. The discussion included the question of whether or not the TPC was apprised that an increase would occur. Levitin restated Viacom Cablevision's belief that the City has lost its authority over basic rates as a result of the Cable Communications Policy Act and of new FCC regulations. She said that the TPC Chair, the Mayor and the Board of Supervisors were informed of the rate increase and that notice was also contained in a two page year-end roundup report which was mailed to TPC members in December.

THE EDUCATIONAL ACCESS SUBCOMMITTEE

Dilworth-Battle reported that a Subcommittee meeting on January 28th made considerable progress on the three-year plan and that the plan will be finalized at the Subcommittee's February meeting.

She alluded to the Subcommittee's proposal that two headends be provided for the educational channel and reported on related developments at the SFUSD and the CCSF District where the headends would be installed.

Dilworth-Battle reported that the Subcommittee asks that a request for two headends for the educational access channel be added as amendment to the TPC's franchise revision findings document and be considered when the TPC makes its window year recommendations.

A discussion ensued as to the best way to authenticate the authority of persons assigned by the two districts to work with the TPC. Dilworth-Battle reported that Superintendent Cortines wrote a letter in September which included the statement that Mr. Dan delSolar is assigned to deal with the details entailed in upgrading the John O'Connell High School studio site.

A discussion ensued concerning a January 16th letter from delSolar concerning a cable headend at the O'Connell site. Singsen asked for clarification of exactly what the SFUSD plans on providing to create a production and cable originating facility.

Dilworth-Battle reported that the staff work required to elicit bids for the studio work is being finalized.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

Singsen reported on a Board of Convenors meeting to be held on February 25th to accelerate the process of setting up a public access corporation. He said that he hopes to have Subcommittee recommendations to refer to the TPC in May.

Singsen raised the issue of the timetable for formation of an access corporation. He said that the time which has elapsed since April 18, 1986 makes some of the dates obsolete and requested approval of a new schedule. The TPC tabled the motion until the March 10th meeting.

OLD BUSINESS

The Committee took up the matter of the series of $25,000 matching grants. Members agreed to reconstruct records of action to date and to work on a definition of what constitutes a match.

Andrea Torrice presented a single page copy of a proposed flyer entitled: "Questions and Answers about Public Access Television." She said that it had been approved by the P.A. Subcommittee and then sent to all members. She asked for approval to disseminate the document. Use of the TPC's name at the bottom was discussed. The flyer was referred to the Policy Committee for review.

ADJOURNMENT

The Committee will meet on March 10th. The TPC adjourned at 6:35 p.m.

March 4, 1987

Memo to: TPC Members
From: Dick Hoss, Connie Brand and Andrea Torrice
Re: Activities and Developments during February 1987

Dick Hoss

Dick reports that Treasurer Emily Pike may be fitted with a walking cast within two weeks, if so, she hopes to attend meetings and the TPC will then not proceed with a speakerphone system which it planned on using to enable Emily to participate in meetings.

Sources at the Board think that cable television may be assigned to the Committee on Human Services. If so, the Committee members are Supervisors Hsieh, Silver and Ward.

Posting of notice of meetings is working out very well. The glass encased bulletin board outside of the Board's office does not lock and we are able to post and remove notices without asking for access.

John L. Taylor, Clerk of the Board, is available to meet with the Committee concerning the TPC's obligations under the Brown Act. He is quite firm in the view that contractual matters cannot be discussed in closed session.

Members who were unable to attend the February meeting should be alerted to the fact that the second Tuesday of the month is now the regular meeting date. The Chair reappointed members to their present committee assignments with the exception of Roberto and Hal. Hal will join the Executive Committee and leave the Consumer Services Subcommittee. Roberto will do the opposite.

Complaints/Inquiries: The TPC received two inquiries by persons who want to be wired and three complaints, all of which were resolved. One person had double images on his screen. A new subscriber didn't want to pay for the conduit work required to reach his house. A gentleman didn't want to pay an installation fee because he had moved from a wired apartment into a wired apartment which only required being turned on. Viacom Cablevision waived the installation fee.

Andrea Torrice

Andrea reports that eleven groups have signed up so far to produce public service announcements on the March 13th PSA day. Representatives of seven of the groups attended a two-hour session to learn script development and technical advice. On February 25th, twenty-nine people attended a meeting of the

nominees for the Board of Convenors of the PAC. Forty-nine organizations have appointed nominees for the Board of Convenors.

Andrea met with the Western Addition Cultural Center staff and volunteers who completed the Channel 25 training workshop . The Center will commence cablecasting on Channel 25 in April. Eighteen persons called in February with questions about public access. Andrea wrote a six-month plan for the Subcommittee and completed her portion of the annual report. She wrote a draft of a three-year plan to be submitted at the next Public Access Subcommittee meeting; purchased an IBM computer at discount; researched the status of payments of the 0.2% funds; and reviewed her fiscal agent's books.

Connie Brand

Connie reports that two programs were produced with TPC assistance. The first, produced by Eldercare covered a training workshop on the elderly and on spiritual issues. It featured MacArthur Foundation Fellow Dr. Michael Lerner and the Commonweal project. The other program was another "Heartflash" video which used aerobics for cardiovascular health education in the public schools. Brand also prepared materials for a District Health Center #5 "Heartflash" grant application.

The Youth Guidance Center has requested assistance with a closed circuit video system at Junvenile Hall to improve the monitoring of residents and to possibly prevent suicide attempts. Brand reviewed the site and will contract vendors for cost estimates.

The Alemany Day Treatment Center has received a donated video portapak -- a vintage 1972 black and white model. The camera and monitor are operational. The Center has asked for a staff workshop to enable them to tape group therapy sessions.

Connie's administrative tasks in February included writing the municipal access portion of the annual report; and drafting a RFP for improving the lighting at the John O'Connell High School studio site. The three-year plans for municipal access and educational access are moving apace. They have been revised and the educational access plan was approved on February 25th.

Brand's contacts and projects now include multi-lingual slide/tape transfers for the Division of Family Health; a workshop series to be videotaped for Community Mental Health; and several projects with the General Hospital's "Patient Education Program."

(end)

TPC STATUS REPORT ON THE USE OF FUNDS FROM ALL SOURCES
FOR THE MONTH OF FEBRUARY 1987

	Budget	Feb '74	YTD	Unspent
City Salary Costs				
Cable Officer Salary	$36,566	$3,047	$24,376	$12,188
Cable Officer Fringe	10,200	850	6,800	3,400
Public Access Typist	974	000	000	974
Professional Services				
Bilingual Subscriber Survey	24,000	000	000	24,000
"Never subscribed" survey *	20,000	000	2,172	12,463*
Signal Field Testing *	2,500	000	000	2,500*
Public Access Coordinator	12,038	2,006	4,012	8,026
Muni/Educ Access Coordinator	14,663	2,444	4,888	9,776
Legal Services (P.A. nonprofit)	1,000	000	000	1,000
Travel Funds	6,000	000	5,446	554
Training Funds				
Public Access Training at Four Community Centers	6,000	000	000	6,000
Municipal Services Training of City Employees	555	000	000	555
Other Current Services				
1232 Telephone Service	1,500	87	992	508
1235 Subscription Fees	700	000	496	204
1236 Printing - General Fund	300	000	000	300
1236 Public Access brochures	754			754
1281 P.A. Producers' Grants	6,540	000	000	6,540
1299 Other Current Services	500	000	372	128
Materials and Supplies				
1300 Materials and Supplies	2,125	87	1,386	739
1399 P.A. video tapes	400	000	000	400
Membership Dues	800	000	400	400
Rental of Property	6,780	565	4,520	2,260
Equipment Purchase				
Municipal Access Videotex	6,275	000	000	6,275
Educational Access headend	13,726	000	000	13,726
O'Connell Studio Improvements	19,075	000	000	19,075
Municipal Svc. Word Processing				
Computer purchase	3,093	000	000	3,093
Maintenance contract	528	000	000	528
Data processing supplies	300	000	000	300
City Reproduction Bureau	900	43	594	306
City Mail Room Services	1,000	67	683	317
Municipal Production Fund	2,614	000	000	2,614
Municipal Insurance	1,400	000	000	1,400
TOTAL	**$203,806**	**$9,196**	$57,137	$141,303

*General Fund Carryover

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF MARCH 10, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Abrams, Esteves, Kelsey, Layer, Leong and Levitin.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the February 10th minutes were approved after Sue Levitin requested that the reference to the National Amusement Company be corrected to describe an "outside" takeover bid.

PUBLIC COMMENT PERIOD

Ms. Sherry Hudson, a San Francisco subscriber to cable television, introduced herself. Ms. Hudson has been nominated by the NFLCP to serve on the Board of Convenors of the proposed public access corporation. Ms. Hudson said that she was the Cupertino access director and that that City has a model 3-way access agreement. The Chair thanked Ms. Hudson for appearing.

A REPORT FROM THE CHAIR

The Annual Report

The agenda stated that a draft would be distributed at this meeting but that no action would be taken until the April meeting. A proposed draft was made available to members who wished to take a copy but the report was not discussed.

The ensuing discussion resulted in a due date of March 24th for getting Annual Report comments to Hoss.

MOTION: The TPC refers the annual report to the Executive Committee for reconciliation with critical comments by members. The annual report shall be presented to the TPC for approval at its April meeting. Seconded and carried.

Financial Reports

The Committee studied a single page report on unexpended funds from all sources for the month of February. A discussion evolved around the large amount of carried-over funds allocated for surveys. Members expressed concern over whether or not unspent funds could be again carried over. The TPC did not include any survey money in its FY 1987-88 budget request.

Questions were asked about whether the Municipal Access computer was about to be purchased. The Board had allocated $3,093 for a computer, $528 for a maintenance contract and $300 for word processing supplies. Staff reported that Acting Chair Esteves asked Emily Pike to contact the Clerk of the Board in an attempt to get the computer purchase approved and that the matter was still unresolved.

The $25,000 Grants and the 0.2% Proceeds

The Chair reported that Connie Brand and Viacom were working on the matter.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported on the acquistion of Viacom by the Arsenal Holding - National Amusement Company. She said that the new Company is not an arbitrager but is interested in cable television. The acquisition requires FCC clearance. National Amusement ownes a theater chain.

MOTION: Whereas National Amusement has taken over Viacom International, and whereas Viacom Cablevision was publicly held and now is privately held, the TPC requests staff to investigate the impact of the merger on other systems and to request the City Attorney to determine the impact which the merger may have on the San Francisco franchise. Seconded and carried.

The Construction Report

Levitin reported that Viacom is now a year ahead of schedule.

Mission District Wiring Area -- 1987 The area is the last part of the 1987 build. Viacom is starting underground construction.

North of Market Area -- 1987 Cathedral Hill. Construction is complete and the area is undergoing a thirty day test period. Then the marketing department will be activated.

In the southern part of the wiring area, underground construction will be finished in 30 days. The aerial portion has been completed.

North of Market Area - 1988 Viacom has applied to the City for street opening permits and will begin construction in 30 days.

Levitin distributed copies of the first issue of "Community Access Bulletin" (attached). She said that Viacom's Michael Freedman was inspired to start the publication after his attendance at the NFLCP conference. Members of the TPC expressed approval of the new publication.

Levitin described Viacom Six's plans for the near future. Candidates for the vacant congressional seat will appear in a forum format rather than a debate format. SPUR's report on Mission Bay and its report on Fishermens' Wharf will be cablecast. Channel six will do a program on the State Legislature entitled: "There ought to be a Law." Senator Kopp will be the moderator.

STAFF REPORTS

The Chair explained the new format for staff reporting. The staff will integrate their reports into a single document from now on.

The Committee discussed Andrea Torrice's Public Service Announcment (PSA) project and agreed to view some of them at the April meeting.

The Committee read Dick Hoss' report. A discussion evolved around Hoss' report that the Clerk of the Board has said that the TPC may not discuss contracts in closed session.

Abrams said that she has a proposal, carried over under Old Business for three months, which requests a closed session concerning the renegotiation of the two access development contracts. She said that she has asked for an opportunity to discuss the TPC's future contractual obligations and to discuss whether the TPC wants the access developmen activity performed in the present way.

Comments were made to the effect that the Executive Committee will request authorization to work out the details of the personal services contracts because a full-blown discussion would take too much time. The Chair said that he will calendar the matter for discussion at the April meeting and that, meanwhile, staff will research the action taken to date by the Executive Committee. Staff will also obtain a written opinion from the Clerk of the Board.

A REQUEST FOR APPROVAL OF TAKING OUT A MEMBERSHIP IN THE FCSTV

The staff report included a request that the TPC take out a $400 membership in the FCSTV which is no longer supported by fees from deregulated cable companies.

The Committee discussed the various levels of membership and what services they entailed.

MOTION: The TPC authorizes staff to enroll the TPC in a FCSTV membership at a cost of $400. Seconded and carried.

THE EDUCATIONAL ACCESS SUBCOMMITTEE

Hal Layer reported on the Subcommittee's action item which consisted of a motion stating that the TPC approves a Grant in the Amount of $13,700 to be made to the CCSF District for Purchase of Headend equipment which will be located in the CCSF Broadcasting Department.

Layer explained that the TPC had approved the concept of two educational access headends in principle and that only two locations were available -- CCSF and the SFUSD. Members discussed the matter of whether or not a contract was in the works and whether it would provide studio use and transmission use to parties other than the CCSF Broadcast Department. Staff alluded to the fact that the funds must be encumbered before June 30th.

The TPC re-referred the motion to the Educational Access Subcommittee for resolution of policy issues.

THE POLICY COMMITTEE

Abrams described the Policy Committee's work in developing public testimony rules in accordance with the Brown Act amendments. She then took up Torrice's proposed "Questions and Answers about Public Access Television" (attached). Torrice will redraft the fact sheet and bring the revised edition to the Policy Committee. Abrams restated the importance of obtaining the Executive Committee's approval of all documents which bear the TPC's name. Abrams described the Policy Committee's section of the three-year plan.

Abrams reported that the Policy Committee's April meeting will include a definition of what constitutes "match" for a grant. Levitin reported that she had talked to the Viacom Regional Finance Manager and traced the payment of grants to date. After an extended coversation, Levitin advised the TPC to bill Viacom for the grant installment for which it is eligible.

THE PUBLIC ACCESS SUBCOMMITTEE

George Kelsey reported that the Board of Convenors has met twice and that it represents a formidible list of organizations. The TPC briefing of the convenors included the history of public access in San Francisco and the legislative history of the proposed public access corporation.

The Request for an Amended Schedule for Development of a Public Access Corporation

Kelsey presented a motion for TPC approval of a revised schedule for development of a public access corporation. After extended discussion he withdrew the motion pending clarification of policy issues.

ADJOURNMENT

The TPC adjourned at 6 p.m.
The TPC scheduled its next meeting for April 21st.

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TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MONTHLY MEETING OF APRIL 28, 1987

I. Call to Order at 4:00 p.m.; Adoption of the Agenda; Approval of the March Minutes; and Public Comment Time.
II. A Viewing of Public Service Announcements (PSA)
III. A Viewing of a KRON-TV Newswatch Report

IV. The Executive Committee Report
- A. Mr. Len Snaider, Deputy City Attorney -- A Discussion of the Franchise Revision Window Period
- B. A Request that the TPC Delegate Authority to the Executive Committee to Negotiate the New Access Development Contracts***

V. Staff Reports and Presentation of a Financial Report
VI. The Viacom Cablevision Report
VII. The Consumer Services Subcommittee Report
- A. A Request for Approval of the Expenditure of $1,500 re. the Bilingual Survey

The Educational Access Subcommittee Report
The Municipal Services Subcommittee Report
- B. The MOU between the TPC and Viacom -- Clarification of the Word "Community" in Section 2***
- C. The New Civic Center Master Plan -- A Request that the TPC Write a Letter Asking the Mayor to Include Cablecasting Requirements in the New Plan***

The Policy Committee Report
The Public Access Subcommittee Report

VIII. Old Business
- A Request for TPC Approval of a Grant in the Amount of $13,700 to be Made to the CCSF District for Purchase of Headend Equipment***
- B Request for Approval of a Revised Timeline for Developing a Public Access Corporation***
- C. The Annual Report -- Request for Approval***
- D. The Three-Year Plan -- A Request that the final draft be delegated to the Executive Committee***

IX. New Business and Public Comment Period and Adjournment

***Action Item

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CITY AND COUNTY OF SAN FRANCISCO

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MINUTES OF THE MEETING OF APRIL 28, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Abrams, Dilworth- Battle, Esteves, Kelsey, Layer, Leong, Levitin and Singsen

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the March 10th minutes were approved.

PUBLIC COMMENT PERIOD

Mr. John Maher and Ms. Miyeko Aldecoa from the Chinatown Youth Center attended the meeting but did not comment.

A VIEWING OF PUBLIC SERVICE ANNOUNCEMENTS

Andrea Torrice showed the highlights of Public Service Announcements (PSA) produced at Channel 25.

THE EXECUTIVE COMMITTEE REPORT

Will Leong introduced Mr. Len Snaider, a Deputy City Attorney who is assigned to the franchise window period proceedings. Mr. Snaider reported that the franchise confers a very limited basis for franchise revision every three years because amendments must reflect service requirement changes based on advances in technology or demonstrated community needs.

Proposed changes shall be substantive in nature, affect a significant number of subscribers and be within the scope of the City's authority to amend the franchise. Window period amendments adopted by the City must be able to stand up in an arbitration proceeding.

Mr. Snaider said that some of the recommendations in the findings document which do not meet the three-year window criteria can be accomplished by other means because they are within the scope of the City's authority to make changes. Non-window period recommendations can be effectuated by enacting changes in the franchise at any time or by amending codes such as the Administrative or Electrical Codes.

Snaider advised the group that the passage of almost five months since the findings document was forwarded to the Board of Supervisors does not affect the City's rights because the time was consumed by Viacom in formulating a response. The TPC agreed that it will present its findings to the Board whether they be three-year window recommendations, or proposed ordinances and resolutions.

The TPC took up the Viacom letter of response, dated March 20th, and discussed a section on page three which dealt with public access.

Viacom stated that it has supported and will continue to support public access and is willing to enhance its support within reason.

MOTION: The TPC directs a letter to be written to Viacom Cablevision asking the company for a written description of Viacom's conception of a reasonable enhancement of public access activity and for an elaboration on how and when the enhancement will be carried out.

The letter shall ask Viacom to respond to the TPC's October 30th findings document by noting which proposals it regards as involving capital expenditures and which proposals it regards as involving non-capital expenditures. Viacom shall be asked for a brief explanation of why it regards the various proposals as falling into either category. Seconded and carried.

New Contracts for the Access Development Coordinators

The TPC took up a proposal that it delegate negotiation of the two access development coordinator contracts to the Executive Committee subject to a TPC vote of approval on the final offer. The Executive Committee concluded that contract negotiation at a monthly meeting of the Committee-of-the-Whole would be too time-consuming. The ensuing discussion ended with an agreement that the Executive Committee may negotiate the contracts at an Executive Committee meeting which any member of the TPC may attend. Members shall be notified of the meeting.

MOTION: The TPC delegates negotiation of the two access development coordinator contracts to the Executive Committee subject to a TPC vote of approval on the final offer. Seconded and carried.

THE CONSUMER SERVICES SUBCOMMITTEE

The Bi-lingual Subscribers

The Subcommittee met on April 17th at which time it decided to recommend a request for TPC authorization to encumber $1,500 to ascertain the viewpoints of bilingual community leaders and media producers about cable tv. The TPC originally pursued the bilingual issue as a result of the ELRA Group survey findings. The $1,500 was requested to begin the process of ascertaining whether a bilingual poll would resolve cable issues and questions of importance and whether the information likely to be obtained is significant enough to serve the television interests of the City and the public at a cost commensurate with the results. Approval of the project would enable the TPC to work with people who can help it to determine what issues to explore and what questions to formulate.

The ensuing discussion included the question of whether the staff could do the work involved; the amount of foreign language programming now provided; and whether the matter should be tabled until the June meeting.

MOTION: The TPC authorizes encumberance of $1,500 in bi-lingual survey money pending development of a proposal to complete interviews of community leaders and media producers in the three major bilingual communities to ascertain their viewpoints and concerns about cable tv in San Francisco. Seconded and carried with Abrams dissenting.

THE EDUCATIONAL ACCESS SUBCOMMITTEE REPORT

Dilworth-Battle (Chair) reported that the Subcommittee has returned to the TPC with a request for TPC approval of a grant to be made to the CCSF District for purchase of headend equipment to be installed in the Broadcast Department studio area. She reviewed the TPC's action at the March 10th monthly meeting at which time the headend grant resolution was re-referred to Subcommittee for clarification of issues relating to who will have access to the headend and what channels it will be used for.

Dilworth-Battle reported that the Educational Access Subcommittee met on April 15 with a CCSF District representative and clarified issues to its satisfaction. The headend grant transaction will parallel the SFUSD memorandum of understanding with respect to accountability including proof of purchase. She noted that, upon receipt of a headend equipment purchase grant and access to the educational channel, the CCSF District has said that it will commit itself to hire a half-time coordinator, starting in January 1988, to spend a year planning the cablecasting of telecourses commencing with the Spring of 1989 Semester.

Dilworth-Battle distributed a letter from CCSF President Ramirez in which he acknowledged that the educational channel is to be shared with SFUSD and that if only one head-end is available for the educational channel and it is located at the

CCSF, the CCSF District will make the headend available for cablecasting of pretaped programs delivered by SFUSD and display printed information on a character generator. The Broadcast Department's studio will be available for production by outside groups but a fee will be charged.

Levitin noted that the Broadcast Department should contact Viacom's engineering staff in sufficient time to ensure that the headend is compatible with Viacom's transmission.

MOTION: The TPC approves a Grant in the Amount of $13,700 to be made to the CCSF District for Purchase of Headend equipment. Seconded and carried.

MOTION: The TPC shall ask the City Attorney's office to review the full file of the TPC's negotiations with the SFUSD and the CCSF District for a determination as to whether or not they amount to a contract. Seconded and carried.

THE MUNICIPAL SERVICES SUBCOMMITTEE

The Subcommittee referred to the grant series contained in the Viacom-TPC memorandum of understanding and noted that the "PEG access" in the MOU includes municipal agencies as beneficiaries of the grant system. The Subcommittee report asked the TPC to adopt a definition of "match" which would include tax-supported services and resources of the City because the memorandum of understanding suggests that agencies and municipal users need to supply funds to match the grant.

Esteves explained that the Municipal Services Subcommittee was proposing that tax-supported services and

resources used for municipal video productions (e.g. staff, municipal equipment use, and special grants) be included as in-kind contributions toward the match.

The Chair referred the matter to the Policy Committee because the Policy Committee has been charged with developing a definition of "match" under the MOU.

The Civic Center Master Plan

Esteves reported that the Subcommittee requests that the TPC write a letter to the Mayor requesting the inclusion of cablecasting needs in the new Civic Center Master Plan. A motion to that effect was seconded and carried.

THE POLICY COMMITTEE

Abrams (Chair) reported on the Policy Committee's meeting on March 4th at which time the Committee developed a three-year plan; discussed Andrea Torrice's proposed "Questions and Answers about Public Access; and met with the public concerning development of a new rule on public testimony which will conform to the Brown Act amendments.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

Michael Singsen complemented Torrice on her work during Public Service Announcement (PSA) week. He reported that nominees to the public access corporation's board of directors

will hold their second meeting on April 29th at the S.F. Ballet Building at 455 Franklin Street. Torrice said that she will circulate an updated list of nominees.

Singsen referred the Committee to the "Old Business" agenda item which called for TPC approval of an amended time schedule for development of the Public Access Corporation. He noted that the Board of Supervisors has not approved the proposal which was presented to them some time ago and that the time which has elapsed since April of last year makes some of the dates obsolete.

MOTION: The TPC approves an amended time schedule to be included in the proposal to develop a non-profit Public Access Corporation. The attached schedule (Attachment B) supercedes the time schedule found on page eleven of the proposal approved by the TPC on April 18, 1986. Seconded and carried.

OLD BUSINESS

Dick Hoss noted that the TPC delegated completion of the Annual Report to the Executive Committee in February and reported that the Annual Report was rewritten to take members critical comments and suggestions into account. He said that the draft presented today consists largely of sections approved in Subcommittee meetings.

MOTION: The TPC approves the 1986 Annual Report as presented today. Seconded and carried.

MOTION: The TPC delegates completion of the Three-Year Plan to the Executive Committee. Seconded and carried.

Sue Levitin introduced Bill Tierney from Viacom's Office of Governmental Relations. She then proceeded to give the construction report.

Western Addition II (North of Market 1987) Construction is complete except that two-thirds of the area cannot be turned-on for service because the DPW will not issue permits to cross the streets which are under moratorium. The DPW's position is that cable installation is not one of the services required by law. Viacom is attempting to resolve the moratorium issue as it affects other parts of the build. Viacom, in the past, has been able to resolve the moratorium issue by alternative methods of construction but in this area, it is required to do 100% underground work and permission to cut the streets has been denied.

South of Market Street Construction is complete in the area and Viacom is in the process of splicing the cable. Marketing will commence in 45 days.

North of Market The area is one which requires underground construction and Viacom has undertaken it. Viacom is now in the area near the Hastings College of Law.

The TPC discussed Viacom's trouble with the street cutting moratorium and then adopted a resolution.

WHEREAS, the Board of Supervisors, through a franchise granted to Viacom Cablevision, requires the construction of a cable tv system reaching all residents areas of the City by 1988, and

WHEREAS, the construction of the new 52 channel cable system is in the best interests of the residents of San Francisco, and

WHEREAS, the lack of cable television service is a severe hardship to many viewers, and

WHEREAS, the provision of municipal and educational services depends upon citizens' access to cable television services, now

THEREFORE, BE IT RESOLVED, that the Citizens' Telecommunications Policy Committee urges the Department of Public Works to expedite Viacom Cablevision's access to all moratorium streets incorporated within the cable franchise construction area, and

BE IT FURTHUR RESOLVED, that the Board of Supervisors be informed of the potential for delay in completion of the wiring plan as a result of the DPW's refusal to let Viacom Cablevision make the required street cuts.

Viacom Report Resumed

Levitin distributed copies of the Spring/Summer 1987 issue of the Community Access Bulletin. She also distributed a pocketed folder containing various pieces of information on cable in the classroom.

She reported that Viacom has made a change in use of cable channel 36 which carried the San Jose ABC affiliated station -- broadcast channel 11. Viacom now cablecasts the Cable Value Network, a sales program which runs 24 hours a day.

Members noted that the TPC had been informed after the fact and thus placed at a disadvantage with people who inquired about the change. Levitin said that she informed the Chair in advance. Comments were made to the effect that Viacom, at an earlier discussion, said that its survey found that people like broadcast Channel 11 and that it was kept when PBS affiliates were dropped.

Members asked Levitin about broadcast Channel 54, the Santa Clara County School District's PBS station. She said that Channel 54 still shows; that it is on cable Channel 54 along with Black Entertainment Television (BET). BET runs from midnight to 6 a.m. and Channel 54 (KTEH) cablecasts from 6 a.m. until approximately midnight.

Viacom's Channel 25 Report

Levitin reported the purchase of three new studio cameras. The equipment is Sony make, color recording, solid state, and is state-of-the-art with microchip components. The cameras will be delivered by mid-June. She gave details of Viacom's development of a three-year plan which included upgrading studio equipment and making structural changes in the studio area such as soundproofing the editing studio.

Viacom will use the rest of the year to note whether the changes result in improved productions and increased studio usage. Levitin concluded the Viacom report by saying that the Company is concerned about persons who will attempt to use the equipment for commercial purposes and will guard against such distortion of the public access concept.

Hal Layer commented favorably on some of the public service programming on Channel 26th. After a discussion, the TPC agreed that Layer will write a letter commending Viacom for the programming on City issues and politics.

NEW BUSINESS

The Committee tabled an motion to take up the matter of awarding a bid for construction work at the John O'Connell studio.

PUBLIC COMMENT

The TPC discussed how it provides for public comment. The Committee noted that the agenda provided opportunity for public comment at the beginning and end of the meeting.

ADJOURNMENT

The Committee agreed to meet on May 12th. It adjourned at 6:16 p.m.

City College of San Francisco

Division of San Francisco Community College District

50 Phelan Avenue • San Francisco, California 94112 • (415) 239-3303
Office of the President

April 13, 1987

Mr. Richard Hoss
Cable Officer
Educational Access Subcommittee
Citizens Telecommunications Policy Committee
1182 Market Street
San Francisco, CA 94102

Dear Mr. Hoss:

This is in regards to the proposed grant from the TPC to City College in the amount of $13,700 for the purchase of equipment for a basic head-end for the educational access cable channel. If the TPC awards this grant to City College so that the College has a functioning basic head-end to distribute information on the educational access cable channel, City College is planning to hire a half-time Telecommunications Coordinator starting in January 1988. The duties of this coordinator will be to spend a year researching and planning so that City College will be able to offer telecourses starting with the Spring semester 1989.

City College realizes that the educational access channel is to be a shared channel with SFUSD. In the event there is only one head-end for the educational access channel and it is located at City College of San Francisco, the College would certainly make the head-end equipment available for distribution of pretaped programs delivered to the College by SFUSD and printed information about SFUSD produced by a character generator. This service would be provided at no cost.

The Broadcasting Department at City College of San Francisco has a fully equipped color television production studio, and it is the policy of City College to make this studio facility available for production to outside groups such as SFUSD and/or municipal department. Such use would be based on a rate to be negotiated by City College of San Francisco. Exact dates, times, and hours of production by outside groups would be negotiated on a project-by-project basis with the Broadcasting Department.

Sincerely,

Carlos B. Ramirez
President

GOVERNING BOARD: Alan S. Wong, President * Robert E. Burton, Vice President
Ernest "Chuck" Ayala * Rev. Amos C. Brown * John Riordan * Julie Tang * Dr. Tim Wolfred
Hilary Hsu, Chancellor Superintendent

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TELECOMMUNICATIONS POLICY COMMITTEE

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A Citizen's Committee Appointed by the Board of Supervisors

April 20, 1987

Memo: TPC Members
From: Connie Brand, Dick Hoss and Andrea Torrice
Re: Staff Activities Report -- March 1987

CONNIE BRAND'S REPORT

John O'Connell TV Studio

Connie prepared the "Invitation for Bids" for the John O'Connell TV studio, and reviewed it with Municipal and Educational Subcommittee and TPC Chairs; KALW's Engineer; and Friends of the Library. Fourteen vendors were identified.

New Municipal Productions

Productions begun in March, with Connie's assistance, were the first of Community Mental Health's workshops; and a training tape on the operation of the City's new telephones, headed by Municipal Court, to be produced with DPW's Telephone Implementation Project and other departments.

Connie responded to 5 inquiries about municipal access.

Sharing City Video Resources

To make it easier for departments to share video resources, an ordinance was drafted to create a special Controller's fund for City and County programs by amending the Administrative Code. The Controller discussed the proposed ordinance with Connie, and recommended that a more cost-effective way would be to work with each department's accountant separately. Discussions were had with the accountants of Municipal Railway, the Library, and Community Mental Health thus far.

Connie Brand Report Continued

Training workshops were planned in greater detail with Municipal Railway's Media Services staff. Three workshops will be held in June: an overview on the benefits of video and cable; preproduction and the production process; and hands-on editing.

Other Activities

Connie attended a League of California Cities' Telecommunications Advisory Committee about proposed state legislation on cable access and telecommunications issues; and assisted the FCSCT with seminars on access. Connie and Andrea prepared a report regarding the history of Viacom Cablevision's payment of the 0.2% fee, the $25,000 grants, and the access budgets as compared to the sources of funding.

DICK HOSS' REPORT

Subscriber Complaints

The TPC received eighteen (18) subscriber complaints in March. Three were inquiries as to when a resident can be wired; one was a request for a credit for interrupted service; two subscribers reported reception problems; two persons complained about installation problems; and three complaints were about construction.; two persons described billing and refund problems which were resolved; and two persons protested the existence or amount of an installation charge.

One complaint presents a possible policy issue. A complainant forwarded a Viacom Cablevision form letter which refers to the $150 maximum conduit installation charge and states that the work may take up to six months to complete. The letter then goes on to offer installation immediately for a charge of $300 (i.e. a surcharge of $150 for attending to the work immediately).

The Six-Month Access Development Budget

Mr. Emile Durrette, a budget analyst in the Mayor's office, was assigned to handle the supplemental appropriation request which would place the access development funds in the Controller's hands. Mr. Durrette was quite busy in March and unable to see Hoss. It appears that the Mayor's office will approve the transfer in April or early May. The request then goes to the Finance Committee (Molinari, Britt, and Gonzalez). The request then goes to the Controller who will set up an account. It is conceivable that the fiscal year may elapse by the time that the work is done.

Dick Hoss Report Continued

The access development contractors will effectuate contracts with the City by means of the Proposition "J" which enables persons to contract with the City if their services are less costly than the Civil Service equivalent of the work.

The scope of services being performed by the City Attorney

Mr. Snaider is now acting on three requests from the TPC. He is involved in advising the TPC on how to proceed with the franchise window matter; the question of whether or not Viacom's recent merger amounted to a transfer of the franchise; and a question recently posed by the Executive Committee --- should the TPC pay Viacom for costs incurred in assisting a City retained contractor to test the quality of Viacom's signal transmission.

Committees of the Board of Supervisors as they affect the TPC

The franchise window proceedings have been referred to the Human Resources Committee (Supervisors Silver (Chair), Hsieh, and Ward). The Committee will organize on May 7th.

The management audit has been referred to the Oversight Committee (Hongisto, Chair). The additional two members of the Committee will be periodically changed as the matters being considered change. Supervisors Silver and Ward are temporarily on the Committee.

The TPC's budget will be heard by the Finance Committee. Members are Supervisors Molinari (Chair), Britt and Gonzalez.

ANDREA TORRICE

Public Service Announcement (PSA) Day

Ten community organizations successfully created PSAs at Channel 25 on March 13th. The groups were: Arthouse; the Bay Area Lawyers for the Arts; the Bay Area Urban League; the Chinatown Youth Center; Guetre Institute; the Juvenile Diabetes Foundation; the Liberation House Alcoholics Recovery Center; the California School of Psychiatry's Drug Abuse Program; the Refugee Employment Assistance program; and the Youth Assistance program.

Andrea Torrice Report Continued

The Public Access Corporation

Thirteen more community organizations made nominations for the Public Access Corporation's Board of Convenors in March. Andrea met with each nominee and distributed information about the history of Public Access, the PAC proposal and the TPC.

New Programming

Andrea made a "What is Public Access" presentation to the staff of the "Rose Resnick School for the Blind." The school is considering doing a series of programs about blindness and vocational training.

Other Activities

Andrea attended a meeting of the San Francisco Labor Council to review programming goals and plans for the program "California Working" which now cablecasts on Channel 25. Andrea assisted a Channel 25 producer who had an equipment complaint. The Public Access computer arrived and Andrea trained on software. She responded to 47 telephone calls concerning public access. Andrea and Connie prepared a report regarding the history of Viacom Cablevision's payment of the 0.2% fee, the $25,000 grants, and the access budgets as compared to the sources of funding.

(end)

Viacom CABLEVISION
MORE OF WHAT YOU'RE LOOKING FOR

Attachment # 1
Hoss staff report

February 20, 1987

Dear Mr. McKay :

The cost to install a small underground conduit will be $150.00 at 170 Commonwealth. The installation of this conduit is necessary to have cable service at this address. Upon receipt of your check, the construction is usually completed within 60 calendar days; however, due to circumstances beyond our control, construction of this underground conduit may take up to six months. If you require this installation immediately, the charge is $300.00. All payments are to be made in advance of construction.

Please make your check payable to Viacom Cablevision, attention Sharon Perez.

TB/SRP/0633P:ll

Telephone:
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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MONTHLY MEETING OF MAY 12, 1987

I. Call to Order at 4 p.m.; Adoption of the Agenda; Approval of the April 28th minutes; and Public Comment Time

II. An Executive Committee Report -- the Human Services Committee's Hearing on May 7th -- the Viacom Merger Issue

III. Staff Reports and Presentation of the Financial Report

IV. The TPC's Window Year Recommendations -- A In Seriatim Review of the Proposals Contained in the Findings Document

V. Subcommittee Reports

   a. The Consumer Services Subcommittee
   b The Educational Access Subcommittee
   c. The Municipal Services Subcommittee
   d. The Policy Committee
   e. The Public Access Subcommittee

VI. New Business

VII. Public Comment

VIII. Adjournment

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MINUTES OF THE MEETING OF MAY 12, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Abrams, Esteves, Layer, Leong, Levitin and Singsen. The agenda was adopted as written.

PUBLIC COMMENT PERIOD

Ms. Sheri Hutson, an NFLCP-Far West nominee for the Board of Convenors, introduced herself to the Committee and spoke in support of public access development. Ms. Barbara Torrell, of the Association of California Independent Public TV Producers, is also a nominee for the Board of Convenors. She introduced herself and made comments in support of public access development.

THE CHAIR'S REPORT

The Chair (Leong) reported that Supervisor Carol Ruth Silver would meet with the Committee somewhat later in the afternoon.

THE EXECUTIVE COMMITTEE REPORT

The Committee proceeded with a discussion of the Human Services Committee's meeting on May 7th which dealt with the Viacom Cablevision/National Amusement Corporation transaction. Hoss reported that the hearing will be continued on May 21st. Esteves reported on the Channel 44 concerns over dial position because the channel advertises itself as "TV 44,Cable 12." Esteves described Supervisor Silver's position as being that the City has a responsiblity to review the transaction. He reported that a large number of people testified in favor of keeping Channel 44 on dial position 12.

The Committee discussed the City Attorney's letter of May 7th (attached) which held that the transaction was not a transfer which must be approved by the Board of Supervisors. Singsen inquired as to whether the letter is a "City Attorney's Opinion" -- an expression of authority or whether the letter is merely advisory in nature.

Esteves suggested that the TPC establish standards of good cable service in order to evaluate the cable system. The ensuing discussion revolved around the First Amendment and the amount of authority which cities have to direct cable companies to provide channels or signals of any kind. Members referred to Resolution 228-83 which calls upon the TPC to analyze the use of the 52 channels to be activated by 1988 and then engaged in a discussion of whether or not the TPC should ask the Board of Supervisors to either reaffirm or withdraw the portion of Resolution 228-83 which calls for analyzing the use of channels. The Committee engaged in an extended discussion of the First Amendment and the need to protect localism as a concept. A motion asking the Board to reaffirm the channel use review mandate was introduced and seconded but was defeated.

The Committee discussed the desirability of contracting with a First Amendment expert. Professors Charles Firestone and Stephen Barnett were mentioned as suitable authorities. The City Attorney's office was mentioned as a possible resource.

MOTION: The TPC directs the staff to use the resources of a person to locate the case law and other materials which will enable the TPC to determine the scope of its authority over cable issues now under discussion. Seconded and carried.

THE ACCESS DEVELOPMENT CONTRACTS

The TPC took up the matter of the two access development contracts which were due to expire on June 30th. Esteves made a motion to extend the contracts through December 31st and the motion was seconded. Abrams said that she would support the motion but was reluctant to do so and asked for assurance that Committee members will be consulted over the terms of the new contract.

MOTION: The TPC extends the contracts of Connie Brand Gordon and Andrea Torrice as access developers through December 31st. The terms and conditions shall remain the same. Seconded and carried.

Dick Hoss reported on bids received for signal testing. He reported that RFI Communications, Inc. made the lowest bid and that Aubrey Harris thinks well of the firm. The Chair requested that Mr. Aubrey Harris be asked to examine the bids to ensure the TPC that it is selecting the best contractor.Hoss described the testing options of 22, 37 and 68 street locations with specialized testing at nine locations. Esteves moved that the TPC proceed to contract for testing at 22 locations and 9 specialized points. The motion was amended to call for a review by Aubrey Harris who will be asked if 22 locations is sufficient for good testing.

MOTION: The TPC authorizes staff to proceed with a Request for Contract amounting to $11,741 to pay RFI Communications, Inc. for signal testing at 22 locations and for specialized testing at nine locations. Staff is to ask Mr. Aubrey Harris if 22 locations is a sufficient number to provide for a good test. Staff will report back to Committee if Mr. Harris recommends more extensive testing. Seconded and carried.

The Committee then proceeded to pass a motion which was tabled under "New Business" on April 28th. The motion authorized Connie Brand to proceed with the award of a contract for construction at the John O'Connell studio site.

The Municipal Access Subcommittee Report

Esteves described a proposal to do a production in conjunction with the Municipal Railway Department. The TPC passed a motion authorizing participation in the project. The Committee also approved a motion amending the portion of Connie Brand's contract concerning grant writing.

The Public Access Subcommittee Report

Singsen reported that the resumes of nominees to the Board of Convenors are on file in the office and may be viewed. Subcommittee members will meet within three weeks to make recommendations.

Supervisor Carol Ruth Silver

The Committee concluded a discussion of its finances and the probability of being allowed to carryover funds just as Supervisor Carol Ruth Silver arrived. The Chair thanked

Supervisor Silver for meeting with the group.

Supervisor Silver then proceeded to outline her views on the TPC's role during the window period year. She said that she views the TPC as having a great deal of authority to recommend changes in the franchise and urged the Committee to come to the Human Services Committee with a good proposal; to make a strong presentation. The ensuing discussion included the legal effect of Viacom Cablevision's rate increase at the beginning of the year; the First Amendment's effect on cities' ability to act; the fact that anything that the City requires can be tested in court; and the question of whether or not an access related surcharge could be added to Viacom's billing.

Supervisor Silver advised the TPC that the Board will not put a larger portion of the franchise tax proceeds into cable related activity; said that she places high priority on preserving locally originated programming and places a low priority on channel use for shopping programs; and that the Human Services Committee in unlikely to hear the window period proposal on July 2nd. The Committee thanked Supervisor Silver for appearing.

The Viacom Cablevision Report

Sue Levitin had nothing new to report because only two weeks had elapsed since the last monthly meeting. The TPC engaged in a discussion of the street cutting moratorium

ordinance's adverse effect on Viacom Cablevision's construction schedule.

Staff Reports

Torrice's staff report centered on the new cameras at Channel 25 with a report that the cameras are Sony Model XD3000. She said that the color quality is an immense improvement. Hoss reported on consumer complaints; the recent Erie decision; and a Cablevision article on Viacom Cablevision in San Francisco.

The Window Period Recommendations

The Chair (Leong) proposed postponing consideration of the TPC's legislative package until the June meeting. The Committee was of a divided opinion with Abrams and Esteves speaking against postponement. The ensuing discussion included the question of whether the City Attorney's letter of advice is moot in view of Supervisor Silver's description of the TPC mandate during the window period. The Committee decided to have a special meeting on June 2nd and a monthly meeting on June 9th.

Public Comment Period

Mr. John Siegel, President of KBHK Channel 44, addressed the TPC. Mr. Siegel said that the city officials in Napa felt that that City does have authority over matters like channel position and has passed legislation on access matters.

His comments included a reference to the City of Torrance's broad view of its powers; the Erie decision; the results on a Arbitron survey; and a statement to the effect that the Viacom Cablevision/National Amusement transaction does require City approval. Mr. Siegel said that Channel 44's concern about losing its dial position was very real because a Viacom employee had advised him that the dial position would be changed this summer.

Rhonda Plank and Mike Spain, producers asked about the new cameras. Mr. Spain said that he believed that a member of the public should be allowed to comment during both public comment sessions.

Adjournment

The Committee adjourned at 6:00 p.m. The TPC will meet next on June 2nd.

City and County of San Francisco: Office of City Attorney

Louise H. Renne,
City Attorney

May 7, 1987

Mr. Rudolf Nothenberg
Chief Administrative Officer
Room 289, City Hall
San Francisco, CA 94102

Re: VIACOM FRANCHISE

Dear Mr. Nothenberg:

You have inquired whether the change in ownership of Viacom International, Inc.'s (Viacom) stock as detailed in Viacom's letter of March 16, 1987 to you is an assignment or transfer of the Viacom franchise which must be approved by the Board of Supervisors. The transaction involves the purchase by a subsidiary of National Amusements, Inc., of all shares of Viacom not owned by National Amusements, Inc. After reviewing Viacom's letter and material provided to the City Attorney we have concluded that this transaction does not require Board approval.

In Ordinance No. 105-64 enacted on April 13, 1964, the City granted a Cable TV franchise to Television Signal Corporation. On October 7, 1970, the Board approved transfer of the ownership of this franchise to Viacom International, Inc. This corporation is extremely active in various areas of the entertainment industry including ownership of numerous cable franchises nationwide in addition to the San Francico franchise, television and radio stations, cable programming services such as MTV, and syndication rights to television shows.

Prior to the acquisition of Viacom's stock by National Amusements, Inc., Viacom's shares were traded on the New York Stock Exchange. The sale of Viacom stock to National Amusements involved stock of a corporation that had many assets throughout the country. The San Francisco franchise is only one of the assets, including franchises, owned by Viacom.

Section 6 of the City - Viacom franchise provides "The grantee shall not have the right to assign, or otherwise transfer in any manner whatever this franchise --- except upon prior written approval by ordinance of the Board of Supervisors of the City". (Emphasis added.) Thus, our franchise speaks in terms of a transfer or assignment of the grantee (i.e., the franchisee).

The question which we are addressing is whether the acquisition of Viacom stock constitutes a transfer or assignment of the San Francisco franchise within the meaning of the City's franchise with Viacom International, Inc. As a starting point we will define the basic terms of franchise and stock.

In this context, a franchise is a contract that permits a person or corporation (the franchisee or grantee) to carry out a business and use public rights of way to conduct the business. Stock is an ownership interest in a corporation enabling the shareholder to participate in the election of corporate management, profits, or assets on dissolution.

In the instant case, Viacom International, Inc. was the franchisee at the time its stock was acquired by National Amusements, Inc. Viacom continues to be the franchisee. Viacom International, Inc. is still in existence and is engaged in the multiplicity of activities described above. The transfer that has occurred is not the transfer of the San Francisco franchise to some other entity. The transfer at issue is the transfer of the stock of Viacom International Inc. In its continued existence, Viacom International, Inc. has the same rights and obligations under the San Francisco franchise as existed prior to the stock acquisition.

The franchise agreement clearly requires Board of Supervisors' approval by ordinance when the franchise itself is transferred. Approval is not required when there is a bona fide transfer of stock of a corporation that owns a franchise among other assets.

Some cable franchises in other jurisdictions explicitly provide that transfers of stock require franchisor approval. The San Francisco franchise is not worded in this manner. The City in other areas such as taxi permits has clearly restricted operations in the event of transfers of stock. (See Section 5 of the initiative ordinance adopted by the voters of the City and County of San Francisco on June 6, 1978 as Proposition K.) This type of language is not in the cable franchise.

In the instant case, there has been an acquisition of Viacom International, Inc. stock by National Amusements. The purchase by a corporation of common stock held by the public in Viacom International, Inc. does not constitute an assignment or transfer within the meaning of Section 6 of the franchise. This is analogous to an anti-assignment provision in a lease with a corporate lessee.

A change in stock ownership of the corporate lessee is not an assignment of the lease. Richardson v. La Rancherita, 98 Cal. App.3d 73, 81 (1979); Ser-Bye Corp. v. C.P. & G. Markets, 78 Cal. App. 2d 915, 920-21 (1947). Under the specific facts of this transaction there is no assignment, transfer or sale of the franchise subject to the approval authority of the Board of Supervisors. The only transactions that have taken place are sales of Viacom International, Inc. stock over which we have no jurisdiction pursuant to the franchise.

Len Snaider and I will be happy to discuss this matter with you in greater detail if you desire.

Very truly yours,

LOUISE H. RENNE
City Attorney

Robert A. Kenealey
ROBERT A. KENEALEY
Assistant Chief Deputy City Attorney

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A Citizen's Committee Appointed by the Board of Supervisors

May 7, 1987

Memo: TPC Members
From: Connie Brand, Dick Hoss and Andrea Torrice
Re: Staff Activities Report -- April 1987

CONNIE BRAND'S REPORT

Interdepartmental Production

Three departments were assisted with four videotapes.

Municipal Court is producing a training program on using the new City telephones. The Municipal Access Subcommittee voted to use the Interdepartmental Production funds for this tape because it has City-wide applications. Assistance involved preproduction meetings with Municipal Court and DPW's Telephone Implementation Project staff; meetings with two SF State graduate students on scripting and directing; budget and contracts; task analysis and script review; and discussion with the American Federation of Radio and TV Artists (AFTRA).

Community Mental Health Consultation, Education amd Information Unit is videotaping a series of workshops using Library equipment and staff. Two videos were coordinated for a day long conference on Latino Cultural Issues and Mental Health and a workshop session of "Therapeutic Approaches: The Potentially Violent Client in a Community Program".

District Health Center #3 is producing a third "Heartflash" videotape, with funding from the American Heart Association and equipment provided by CMH. The Telegraph Hill Club is donating the use of their aerobics studio, and Bay Area Lawyers for the Arts assisted us with copyright questions.

Connie Brand continued

John O'Connell TV Studio

Connie coordinated the bid process for the installation and repair of lighting instruments and a cyclorama at John O'Connell School. She contacted 16 vendors, including referrals; made two site visits; received two bids; and recommended a bidder to the Educational Access Subcommittee. Both bidders are informed that the decision is tabled until May 12.

City College of San Francisco

Connie informed City College of the CTPC's decision and arranged the transfer of the awarded funds.

Other Activities

Attended Executive Committee meeting on franchise window findings. Handled four complaints and inquiries (see below). Attended "Cable in the Classroom".

DICK HOSS' REPORT

Subscriber Complaints

The TPC received eight (8) subscriber complaints and seven (7) general inquiries in April. All eight (8) complaints were reviewed with Viacom. Four (4) residents inquired about when they can be wired. All of them received a full response. Two of the inquiries were not the result of the 1980 new build boundaries; one person was in a pocket in the Noe Valley rebuild area which will be picked up after new construction is completed and the other inquiry involved a slow response by the owner of a multi-unit dwelling.

Two billing disputes came to the TPC -- one was easily resolved and the other wasn't. One billing problem was resolved when Viacom found that it had misapplied a credit. The second billing problem remained unresolved in a case where a resident wanted to have one subscription split between himself and his roommate with Viacom billing one person for some premium programming and half of the basic service and billing the other person for half of the basic. Viacom's policy is to issue one bill for each subscription. The caller was very displeased.

One caller complained about a missed appointment and also stated his opinion that he should be able to use splitters to extend the service without additional payments to Viacom. Viacom gave him another appointment and restated its policy against self-installed splitting without payment for the additional service.

One resident raised what might have been a policy issue had the allegation been correct. A caller developed a hunch that Viacom, in the course of wiring multi-unit dwellings, systematically disconnects existing over-the-air tv roof antenna service in order to make its service necessary. Viacom reported to the TPC and to the caller that it disconnects existing systems only at the direction of the building owner. The complainant then asked if a building owner obtains revenue from Viacom based on the number of tenants that sign up. Viacom does not pay owners a fee of any kind. The caller was still displeased and thought that her hunch is correct.

Treasurer Emily Pike -- Some Good News

Emily reports that her recent operation was a success although she is now fitted with an inflexible cast which restricts her ability to get about. She hope to attend our June meeting and be with us thereafter.

The Eire Decision -- A Trial Court Decision Favorable to Cities A U.S. District Court recently ruled that franchise fees in excess of a city's cost of regulation do not violate the First Amendment. The cable company' arguments included the notion that the City of Erie's 5% fee was also illegal because it exceeded a FCC 3% cap which was in effect prior to enactment of the Cable Act. The cable company involved will appeal but a NCTA spokesman is quoted as saying that the decision is not at odds with cable industry's consenus of opinion on franchise fees.

Viacom San Francisco -- Featured in A National Weekly Cable TV Magazine Cablevision (4/27/87) included a two page article on the local Viacom franchise. The article (attached) reports that Viacom now has 117,000 subscribers in San Francisco.

ANDREA TORRICE

The Western Addition Cultural Center cablecast its first program in a series of six programs called "Caribbean Focus" -- a program covering the Santa Ria festival held at the W.A. Cultural Center. The series explores issues and cultural activities of Bay Area Caribbeam origin communities.

Andrea met with nineteen PAC "Board of Convenors" nominees to answer questions about public access, programming, training and policies.

Andrea met with the FCSCTV, the Mayor's Office of Community Development, and the Film Arts Foundation. The purpose was to gather information about community producers' grants in order to develop a grants program and policies. A first draft of guidelines was developed.

Andrea developed new flyers about public access, community productions, and programming.

Nine callers requested information on public access programming and training.

The Wordperfect software was installed in the Public Access computer and Andrea trained for eight hours on software and computer use.

Sub count up 45 percent since '85

Turning it around in San Francisco: marketing, service projects pay off

By Fred Dawson

Say "San Francisco" and cable veterans will cringe with the memory of a place that for most of the three decades following 1956 served as sad evidence that there are some markets cable operators just shouldn't tackle.

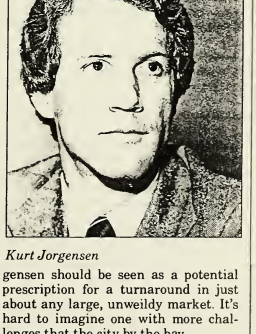
And if any of those veterans had happened to stop by for a visit with system management early this year, their convictions that the market takes an undue toll on anyone who ever attempts to crack it would have been confirmed. They would have been greeted by a shiney headed team whose shaved domes were outrageous testimony to what San Francisco can do to normal people.

But it wasn't failure that had taken its toll on the skinheads in charge of the system. It was success—more than they bargained for, in fact. In the wake of a marketing blitz last year that had seen the basic subscriber count in Viacom's venerable system pass the 100,000 mark, management had challenged the sales team to go even further. With the count at 100,440 in September, they said they would shave their heads if the system hit 106,000 by year's end; would require sales people to cut their own locks.

It was a bad bet. Despite the fact that the market has been saturated with what former Marketing Director David Fox called the "heavy tonnage" approach to direct marketing during the past two years, residents continue to respond to the mailings, door-to-door contacts and telemarketing efforts at a surprising pace. Having hit 106,000 subscribers on Dec. 27, the system has surged forward and, nearing the halfway point in 1987, is at 117,000, representing a 45 percent climb in subscriber count over a two-year period.

Last year, Fox, who is now vice president of sales for the Far East operations of Viacom Enterprises, and Tim Rea, who was then director of market planning and is now marketing director, spearheaded a marketing drive that included 920,000 mailings to a potential customer universe of 130,000 as well as persistent telemarketing follow-up and retention efforts and a large-scale door-to-door sales program. There were 20 separate campaigns represented in the mailings, ranging from single-pay service tie-ins, as with HBO's Red Hot Summer, to special-event pay-per-view promotions, to broad-based introductory offers. "We have something going on out there all the time," noted Fox.

This pace of growth in a system that has been serving some sectors of the city for more than 30 years would be remarkable under any circumstances. Considering it has occurred in San Francisco, the marketing methods employed by the management team under General Manager Kurt Jor-



Kurt Jorgensen

gensen should be seen as a potential prescription for a turnaround in just about any large, unweildy market. It's hard to imagine one with more challenges that the city by the bay.

Begun as a retransmission service in the North Beach section of town in 1956, the San Francisco cable system slowly grew neighborhood by neighborhood through the years of evolving technology, with the result that the current management group inherited a crazy mix of lines and amps delivering anywhere from 12 channels to 35.

With many sections of town yet to be built out and an untenable quagmire of already built sections, Viacom had to choose whether to throw in the towel or make a business of the system in an era of newbuilds carrying 52 channels or more in cities all over the country. To keep going, there was no choice but to rebuild the old while constructing the remaining city sectors in an environment where the attraction of service beyond its retransmission usefulness had yet to be demonstrated.

In 1980, Viacom made a $30-million capital commitment to the city and won a new franchise contract that afforded a license to operate until 2005. While details such as sequence of construction have been renegotiated along the way, the upgrade and expansion has proceeded on schedule. The system is now fully addressable delivering 35 channels of programming with plans to jump to 52 channels by the end of next year.

No city is an easy operational environment for cable. But San Francisco, apart from the antiquity of many sections of plant, represented a challenge of the first magnitude to technicians, led by Chief Engineer Patrick O'Hare. In the first place, there is the natural environment, which, with the sea on three sides, throws up a moisturized reflector that sends microwave and other RF transmissions ricocheting across the city with the random intensity of an attack from outer space. Making matters worse is one of the nation's most powerful broadcast transmission towers sitting atop a hill in the southern part of the city.

With such high-level interference and more than its share of aged leak points in its connectors and splitters, the cable system has not been an easy one to keep running clean. And adding to the technical management hassles has been the need to change out the old addressable converter system, employing Oak T-35 converters, for a new one using Zenith's Z-TAC. Through the changeout period, the system has had to deliver two sets of scrambled signals as well as maintain central office communications with two very different boxes, all the time continuing with the massive upgrade and build-out project.

Viacom realized that if this system was to be successfully marketed as a

new era cable operation, it would have to be run by somebody who not only knew how to market, but who understood the technological side. Kurt Jorgensen was the logical choice for the job.

Jorgensen, who is 40, began his career in cable in 1966 as an installer in the Marin County systems of Comac Signal Corp. By the time he was 20 he was running a system in Pinole, Calif. "I was a chief engineer, head of marketing, everything," Jorgensen noted during an interview in his San Francisco office. For an expansion project in Pinole, Jorgensen "planned the construction, did the pole applications, designed the plant and put in the power supply." And he took the 2,000-subscriber system to 3,000 during the two years he was in charge.

After a series of stints running ever larger systems for what eventually became Viacom Cable, Jorgensn was tapped to head the company's newbuild project in Nashville, Tenn. He started from scratch with an unbuilt franchise in 1979 and remained at the Nashville helm until early '83, when he was asked to take over in San Francisco.

Jorgensen speaks with pride of the way things went in Nashville. "We never got behind in construction," he said. "We had 36,000 customers when I left, four years into the five-year program."

Nashville was the first major urban system to install addressability, using the T-35, which Jorgensen characterized as a "good box." "Our biggest problem," he noted, "was that the TC-35 wasn't built with lightening in mind, but Oak was very responsive to our problems."

In overseeing the San Francisco conversion to a new generation of addressability, Jorgensen put his tech background and his new residence to good use. He happened to move to a house near the powerful broadcast tower in San Francisco, which made his location ideal for working out ingress problems with Zenith's new gear, including cable-ready televisions as well as Z-TAC.

"We had our start-up problems with the Zenith box," he noted, "but with improvements in circuitry and other things, we're satisfied. They're producing a box which we can recommend to other system managers."

In addition to requiring a good tech head to oversee things, the San Francisco system presents as daunting a marketing environment as one would want to find. Just under half of all residences are apartment dwellings. Moreover, the San Francisco lifestyle tends to make television less important than usual to the populace, especially to the disproportionately large segment of single, upper-income professionals, who represent 40 percent of the potential customer base.

Given that San Francisco proper represents only a minority portion of the Bay Area ADI, the system's marketing efforts have largely avoided broadcast and newspaper advertising, though that is changing as Bay Area operators join in tune-in campaigns. Instead, the focus has been on direct sales with a tightly coordinated effort involving several teams specializing in well-defined aspects of the marketing job.

In telemarketing, there are two teams, designated "inbound" and "outbound." The inbound group takes calls from prospects calling special numbers set up in conjunction with whatever marketing campaign is underway at the time. The outbound team focuses on follow-up and retention, calling new customers three to five days after they have been hooked up to ensure all is going well, contacting respondents who have mailed in reply cards on a given promotion and reminding people of installation and other appointments. And the outbound team performs an important role in the collection effort, Fox said, calling before a scheduled disconnect for one last attempt at preventing loss of a customer.

In the field, the 21 people comprising the door-to-door sales teams are divided between territorially oriented groups and a "sweep" team, which handles the first pass in newbuild sections of the city and moves from neighborhood to neighborhood in ongoing remarketing efforts. The territorial teams stay in one area of the city, getting to know the managers of apartment complexes and keeping tabs on the turnover in residents.

The marketing effort has included a variety of price incentives, playing off a rate card that charges $15 for the 29-channel basic package, $25 for one TV set installation, and $29.99 for a basic/Showtime/The Movie Channel combo. HBO, Bravo, Cinemax, Playboy and The Disney Channel round out the pay offerings, with the top package, including all pays, priced at $61.99. HBO is priced at $15 ala carte.

The incentives that have framed the onslaught of marketing campaigns have not included major discounts from these prices. A typical offer last year set the installation charge at 99 cents and provided free VCR installation and a 30-day money-back guarantee. Another offer cut $5 from the basic rate for the first three months and priced installation at $9.95. Another offered free installation, two free video tapes and the guarantee.

But Fox and Rea discovered that a regular stream of promotional mailings carefully targeted demographically and/or geographically and tied to some theme with a variation on the discounts and offers could have a dramatic impact on penetration, even with sharp price increases taking effect along the way.

Not that price hikes didn't take their toll in the short run. In 1984 basic went from $10 to $15, and a year later package prices climbed between $5 and $8. The pay-to-basic ratio went from 140 percent in 1984 to 90 percent by late '85. But the marketing executives noted that pay churn has gone from 96 percent in '84 to 70 percent today (including disconnects and downgrades as part of the churn figures), and pay penetration overall is climbing again. More important, basic penetration has risen from the mid 30s, when the new management team took over, to the low 40s now, against an ever-expanding base of homes passed as the new construction has gone forward.

Of course, hand in hand with the marketing blitz, management has emphasized customer service and a community-oriented approach to dealing with the public that has contributed significantly to the system's health. Assistant Manager John Marx noted that three years ago on an average day there would be 1,200 service calls pending. A typical day now will find 200 such calls scheduled. The system runs 130 vehicles and has three full-time mechanics employed to ensure the trucks keep running. Preventive plant maintenance, too, has been a big factor in the turnaround.

With the addition of new channels and basic service performing well, Fox believes the prices now charged are well within limits of customer value perception. Pay has reached its level, he said, but "in basic we haven't reached the level of price sensitivity."

But, for all the success the system is having in adding subscribers, the ever-mounting costs of operations, including the cost of programming, don't allow for any marketing letup at the current penetration level. "We're going to keep pushing penetration upward," Jorgensen said. "We're not going to stop growing, even when the construction stops." ■

Questions and Answers about *Public Access Television*

What is Public Access Television?

Public Access Television is television programming produced by and for the local community. This programming is shown over cable TV by your local cable company, which reserves a channel especially for it.

Who produces Public Access Television?

Public Access programs are typically produced by community groups, artists, non-profit and religious organizations. However, *any community resident* can produce programs for Public Access. Producers range from absolute novices to skilled professionals.

What sorts of programs are shown over Public Access Television?

The content of programs is as diverse as the community itself. Shows cover everything from local politics to poetry to punk rock, by way of news, sports, health care issues, scouting, and multicultural programs—all with a community flavor.

Why was Public Access Television started?

In the early 1970's, advances in cable TV technology made it possible to transmit dozens of channels simultaneously over the same cable system. At about the same time, many community groups and local governments were expressing frustration over the difficulty of getting their concerns aired over network (broadcast) television.

In 1972, the Federal Communications Commission ruled that, in return for exclusive contracts with local and city authorities, cable companies must reserve channels for non-profit community, educational and government use. The ruling also set national standards for Public Access channel operation.

In 1979, the U.S. Supreme Court overturned the FCC ruling, leaving the Public Access requirement entirely up to state and local government. However, in 1984, Congress passed the Cable Communications Act, which mandates that local governments can require their area cable company to provide Public Access, and allows them to set operational standards.

What about Public Access Television in San Francisco?

Viacom Cablevision, the cable company for San Francisco, is required by the Board of Supervisors to provide the city with one Public Access channel, known as Community Access Channel 25. The channel has existed for over a decade and has been used by many San Francisco organizations and individuals. However, city officials would like to see still more groups using Channel 25, making it truly a voice for all sections of the San Francisco community.

How can I get more information about Public Access Television?

To find out how you or your organization can get involved with Public Access in San Francisco, contact **Andrea Torrice** at **621-4224**, or write to:

Telecommunications Policy Committee
1182 Market Street, Room 421
San Francisco, CA 94102

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE SPECIAL MEETING OF JUNE 2, 1987

The Special Meeting Shall Convene at 4 p.m.
In Room 421 at 1182 Market Street

I. An In Seriatim Review of the TPC's Window Period Findings Document of October 30, 1986 for the Purpose of Making Recommendations to the Board of Supervisors

II. Adjournment

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MINUTES OF THE MEETING OF JUNE 2, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the special meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. The meeting was devoted to discussion of how the TPC will discharge its "window period" year obligations. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Abrams, Esteves, Kelsey, Layer, Leong, Levitin and Singsen. The agenda was adopted as written.

PUBLIC COMMENT PERIOD

Rhonda Plank and Jorge Bustamente said that they would reserve their comments for the public comment period at the end of the meeting.

THE "WINDOW PERIOD" YEAR AND THE TPC'S RECOMMENDATIONS TO THE BOARD OF SUPERVISORS

The Chair (Leong) notified the Committee that Viacom Cablevision agreed to meet with each of the PEG subcommittee chairs for discussions of the PEG subcommittee sponsored proposals included in the findings document. Kurt Jorgensen and Sue Levitin will represent Viacom Cablevision and each PEG chair will be accompanied by the staff member. Members asked for an indication that the discussions would be wide ranging in nature and not limited to the City Attorney's conception of what constitutes "window period" proposals.

Levitin said that non-window issues could be discussed and that the parties would meet as frequently as required -- possibly three meetings with each PEG subcommittee chair. The Chair (Leong) endorsed the PEG meetings concept and said that, ideally, the meetings would result in a strong consensus.

MOTION: The TPC authorizes the PEG subcommittee chairs and their respective staff members to engage in a series of meetings with Viacom Cablevision representatives to resolve PEG issues contained in the "window period findings" document. The TPC representatives shall attempt to achieve a consensus on how to move forward. Seconded and carried unanimously.

Members agreed that the meetings will be on June 8th, 10th and 11th. The TPC then turned to the matter of when the Board's Committee on Human Services is prepared to hear the TPC's final window period report. The consensus was that the Human Services Committee is unlikely to hear the matter on June 2nd but will probably consider the window period report at its August 6th meeting and that the TPC should act accordingly by setting June 30th as its next meeting date. Esteves asked the TPC to include the status of the two access development contracts on the June 30th agenda.

A Review of the Committee's Window Period Findings Document of October 30th

The Chair suggested that the Committee work from a three-page ballot (attached) which provides for a vote on the twenty-two "findings" which the TPC forwarded without recommendation to the Board of Supervisors on October 30th.

The Committee agreed to do so; moved through the ballot items in sequential order; and took the following actions:

Rejected the staff suggestion that the TPC should recommend dropping the word "Citizens" from its title and moving the section forward because the TPC is first referred to in Section 2.

Approved the Consumer Services Subcommittee recommendation that subscriber polls be conducted only when needed rather than annually.

Rejected the Consumer Services Subcommittee suggestion that the TPC review unresolved subscriber complaints as deemed appropriate to ascertain whether the complaints raise policy issues rather than reviewing "all customer complaints and the Grantee's response to the complaints" as stated in the franchise.

Tabled the management audit report related recommendation that the TPC be substituted for the CAO and the Mayor in instances where the management audit report recommends reallocating authority (e.g. construction review). The suggestion was tabled because the Board of Supervisors has not expressed an interest in those audit recommendations and because the department heads in question (e.g. the CAO) have not agreed to a change in authority.

Rejected the Municipal Services Subcommittee proposal that the franchise require Viacom Cablevision to provide the TPC with a current set of strand maps each year and require that the maps be "produced in an easy-to-read" format. The Committee also rejected the staff suggestion that the Assessor and the DPW should be dropped from the franchise as recipients of maps.

Tabled the management audit related proposal to specify some of the contents of the wiring report (e.g. number of street miles of construction completed). The Committee has already reached an agreement with Viacom Cablevision concerning the wiring reports.

Tabled the management audit related recommendation that the franchise require the TPC's annual report to have a construction compliance section. The Committee has authority to include whatever it considers to be suitable in its annual report without specification in the franchise.

Deferred a decision on the proposal that the franchise empower the TPC to make changes in the wiring plan and that the franchise be amended to provide that the plan may be amended as needed to provide service in areas which were not populated at the time of adoption of earlier plans. The Committee will consider specific proposals on June 30th.

Identified the following proposals as PEG Subcommittee sponsored amendments which will be discussed by PEG subcommittee chairs in a series of meetings with Viacom Cablevision during the June 8th workweek. PEG subcommittee chairs will report to the TPC on June 30th concerning disposition of the following recommendations.

The Municipal Services Subcommittee sponsored amendment which would place the phrase "modulated broadband video" in the franchise.

The Municipal/Educational Services Subcommittee proposal that at least one municipal and one educational headend shall be provided at no cost to the City and installed according to TPC standards.

The Municipal/Educational Services Subcommittees' proposal that no charge be made for transmission of signals sent from municipal and educational origin points to subscribers' homes; and that maintenance be performed to an extent determined by the TPC and at no expense to the City.

The Public Access Subcommittee/Public Access Producers' Association sponsored proposal on pages 8-10 of the "findings" document and appendices 1 through 11 of the same document.

The Public Access Subcommittee recommendation concerning inclusion of a Public Access Corporation in the franchise.

The Municipal/Educational Services Subcommittee proposal which clarifies free service to schools, universities and public buildings.

The Municipal/Educational Services Subcommittee proposal that Viacom commit funding to the City for acquisition of automated message service equipment.

The Municipal Services Subcommittee facilities and equipment request which is set forth on page 11 of the findings document and in Appendix 12.

The Public Access Subcommittee's recommendation for inclusion of a 25 cent surcharge on subscribers' monthly bills.

.....

The Committee then turned to page three of the ballot and considered the remainder of the "findings document" proposals. The Committee proceeded to:

Approve recommending the inclusion of the Policy Committee's language which would guarantee cable company access to multi-unit dwellings.

Approve the Policy Committee's recommendation which would provide for the extension of cable service into new residential units.

Tabled a management audit related recommendation that the franchise include language calling for an annual projection of the amount of franchise tax proceeds to be generated; and adding franchise language clarifying the method of payment of the 0.2% proceeds. The Clerk of the Board has introduced legislation which will clarify the method of payment and therefore, no further action is needed. Annual projections of franchise tax proceeds can be arranged by agreement with Viacom Cablevision and need not be included in the franchise.

Rejected the Public Access Subcommittee recommend that provision for the $25,000 grants be placed in the franchise.

Approved the staff recommendation that Section 20 be updated. The present language limits Viacom to carrying signals from radio and television stations and makes no mention of satellites.

.....

The Chair announced that the Committee had disposed of all of the items on the ballot form and asked for further comments. Esteves introduced a recommendation that the TPC's duties be expanded to include establishment of standards for Viacom Cablevision to follow (e.g. response time).

Singsen seconded the motion and the ensuing discussion revolved around the issue of whether the standards would be solely technical in nature or would include the content of programming. Members referred to Resolution 228-83 which calls upon the TPC to analyze the use of the 52 channels to be activated by 1988. Abrams offered a substitute motion to the effect that the standards of service would exclude programming content control. The substitute motion died for lack of support by a second member.

Levitin reported that the Board of Supervisors is presently considering legislation which includes maintaining the status quo on broad programming issues. Singsen moved to table the motion pending development of a conclusion on how the First Amendment and the Cable Act affect cities' ability to deal with programming content. Abrams seconded the motion and asked that the matter be referred to the Policy Committee.

MOTION: The proposal that the TPC's duties be expanded to include establishment of standards shall be tabled to the call of the Chair. Seconded and carried unanimously.

NEW BUSINESS

George Kelsey reported that he and Connie Brand were elected to the NFLCP's regional body and asked about the possibility of using TPC travel funds in connection with that work. The ensuing discussion included a report that the Mayor had cut the TPC's travel funds to the extent that members will have a limited ability to participate in national conventions.

Brand requested that the minutes include her statement that she did not request travel funds and has always paid her own expenses. The Chair referred Kelsey's request to the Executive Committee.

PUBLIC TESTIMONY

Jorge Bustamente asked about Viacom Cablevision's selection of the Public Eye organization to produce a Constitution Day project to be produced at Channel 25. Levitin said that Viacom Cablevision selected a non-profit organization to do the work because it did not want to take the project on itself.

Some members expressed enthusiasm over the Constitution Day project and hoped that the action is only the beginning of a series of grants. Other members felt that Channel Six rather than Channel 25 would have been the appropriate station and that Viacom Cablevision is exercising editorial control over Channel 25 and unilaterally determining programming priorities and displacing producers who would otherwise be using the public access facility

Kelsey noted that the Public Access Subcommittee has been dealing with 65 community organizations and would have appreciated advanced notice of the grant which went to an organization which many deemed to be inactive. Levitin reported that the production work will occur on off-hours. The Chair said that he will calendar a discussion of the Constitution Day program grant for the TPC's monthly meeting on June 9th.

Rhonda Plank, a member of the Public Access Producers' Association, asked the TPC to take a very militant approach to the public access franchise revision proposals.

Julie Miller, a producer and nominee to the Board of Convenors, said that she was very pleased to hear that Viacom Cablevision is looking seriously into the funding of productions. She said that she was in support of Kelsey's comments about the grant to the Public Eye organization.

ADJOURNMENT

The Chair announced that the Committee will hold its July meeting on June 30th. The TPC adjourned at 6:00 p.m.

A BALLOT

To Approve or Disapprove Proposals
In the Sequence in Which They Appear in the
Findings Document of October 30, 1986

Shall the TPC recommend dropping the word Citizens' from its title and moving the section foreward because the TPC is first referred to in Section 2? (page 2) YES_____NO_____

Shall the TPC recommend that polls be conducted only when needed rather than annually? (page 3) YES_____NO_____

Shall the TPC recommend reviewing unresolved subscriber complaints as deemed appropriate to ascertain whether they raise policy issues rather than reviewing "all customer complaints and the Grantee's response to the complaints"? (page 3) YES_____NO_____

The findings document would substitute the TPC for the CAO and the Mayor in instances where the management audit report would reapportion authority (e.g. construction review). In one instance, the Assessor and the DPW would be dropped as recipients of maps because they have not been included in the distribution. Shall the TPC recommend such changes? (pp. 5,6 & 24) YES_____NO_____

Shall the TPC recommend the proposal that the TPC receive a current set of strand maps each year "produced in an easy-to-read" format? (page 5) YES_____NO_____

Shall the TPC recommend the proposal which would specify contents of the construction report? (page 7) YES_____NO_____

Shall the TPC recommend the proposal to require the TPC's annual report to have a construction compliance section? (page 6) YES_____NO_____

Shall the TPC recommend the proposal to enable the TPC to make changes in the wiring plan and to provide that the plan may be amended as needed to provide service in areas which were not populated at the time of adoption of earlier plans? (pages 6 & 7) YES_____NO_____

Shall the TPC recommend a Municipal Services Subcommittee sponsored amendment which would place the phrase "modulated broadband video" in the franchise? (page 7) YES_____NO_____

Shall the TPC recommend inclusion of the Municipal/Educational Services Subcommittee proposal that at least one municipal and one educational headend shall be provided at no cost to the City and installed according to TPC standards? (page 7) YES_____NO_____

Shall the TPC recommend the Municipal/Educational Services Subcommittees' proposal that no charge be made for transmission of signals sent from municipal and educational origin points to subscribers' homes; and that maintenance be performed to an extent determined by the TPC and at no expense to the City? (page 7) YES_____NO_____

Shall the TPC recommend the Public Access Subcommittee/Public Access Producers' Association sponsored proposal on pages 8-10 and appendices 1 through 11? (pages 8-10) YES_____NO_____

Shall the TPC recommend inclusion of a Public Access Corporation in the franchise? (pages 9-10) YES_____NO_____

Shall the TPC recommend the Municipal/Educational Services Subcommittee proposal which clarifies free service to schools, universities and public buildings? (page 10) YES_____NO_____

Shall the TPC recommend the Municipal/Educational Services Subcommittee proposal that Viacom commit funding to the City for acquisition of automated message service equipment? (page 10) YES_____NO_____

Shall the TPC recommend fulfilling the Municipal Services Subcommittee facilities and equipment request which is set forth on page 11 and in Appendix 12? (page 11) YES_____NO_____

Shall the TPC recommend inclusion of a provision which would guarantee access to multi-unit dwellings? (pages 11-12) YES_____NO_____

Shall the TPC recommend a provision which would provide for the extension of cable service into new residential units? (pages 12-13) YES_____NO_____

Shall the TPC recommend adding language calling for an annual projection of the amount of franchise tax proceeds to be generated; and adding language clarifying the payment of the 0.2% proceeds. (pages 16-17) YES_____NO_____

Shall the TPC recommend that the $25,000 grants be placed in the franchise? (page 17) YES_____NO_____

Shall the TPC recommend a 25 cent surcharge? (page 18) YES_____NO_____

Shall the TPC recommend updating Section 20 which limits Viacom to carrying signals from radio and television stations? (page 26) YES_____NO_____

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CITY AND COUNTY OF SAN FRANCISCO

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TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MONTHLY MEETING OF JUNE 9, 1987

I. Call to Order at 4 p.m.; Adoption of the Agenda; Approval of the May 12th and June 2nd minutes; and Public Comment Time

II. Report from the Chair

III. Staff Reports and Presentation of the Financial Report

IV. Subcommittee Reports

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a. The Consumer Services Subcommittee
b The Educational Access Subcommittee
c. The Municipal Services Subcommittee
d. The Policy Committee
e. The Public Access Subcommittee

VI. New Business

A. MOTION: The Public Access Subcommittee requests that the CTPC expand the number of the Public Aceess Corporation Board of Convenors from seventeen to nineteen.

B. MOTION: The Public Access Subcommittee requests that the CTPC appoint the Public Access Corporation Board of Convenors selected by the Public Access Subcommittee.

C. MOTION: The Public Access Subcommittee requests that the CTPC allocate $300.00 from its budget to pay the National Asian American Telecommunications Association for fiscal agent fees for the months of May and June.

VII. Public Comment

VIII. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF JUNE 9, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the monthly meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Abrams, Esteves, Kelsey, Leong, Levitin and Singsen.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the May 12th and June 2nd minutes were approved.

PUBLIC COMMENT PERIOD

Mr. Jorge Bustamente said that he will make some comments during the public comment session provided at the end of the meeting.

A REPORT FROM THE CHAIR

The Chair (Leong) deferred his report in order to provide an opportunity for introduction of the Public Access Subcommittee's candidates for the Board of Convenors of the Public Access Corporation.

THE PUBLIC ACCESS CORPORATION AND ITS BOARD OF CONVENORS

Michael Singsen, Public Access Subcommittee Chair, offered additional copies of a previously distributed report (attached), dated June 5th, which contains the names of the sixteen Public Access Subcommittee nominees to be presented today.

Singsen noted that the document (attached) has a five page appendix which lists persons who were contacted for possible expressions of interest in helping to form the Public Access Corporation.

Singsen then proceeded to introduce nominees Terri Forman, Carolyn Huffman, Wendy Ho Iwata, Holly Fink, Harriett Moss, Danny Beagle, Art France and Peter Franck. Singsen said that other nominees were quite interested but were unable to appear or were expected somewhat later.

The TPC members then discussed whether or not the corporate community had been sufficiently contacted in view of its potential as a donor. Singsen reported that the Subcommittee contacted corporate foundations and that Ms. Mufford's nomination by the Zellerbach Family Fund resulted from that search.

The TPC turned to the question of whether the Board of Convenors should be expanded from seventeen members to nineteen members. The Committee concluded that expansion did not require Board of Supervisors approval because the Board didn't stipulate the number of convenors to be seated. Singsen asked for support of a motion to expand the number of convenors from seventeen to nineteen, stating his belief that the Subcommittee had engaged in consensus building and that the Subcommittee had faith in

the ability of a nineteen member Board to do its work.

MOTION: The TPC sets the number of members to be seated on the Public Access Corporation's Board of Convenors at nineteen members. Seconded and carried. Abrams and Levitin abstained from the voting.

The TPC then commenced a discussion about voting to approve the sixteen persons whom the Public Access Subcommittee nominated to the Board of Convenors. Singsen reported that many of the nominees are not employees of their sponsor but were nominated by their sponsors.

MOTION: The TPC appoints Maria Agudelo, Danny Beagle, Jim Belk, Dr. Y.C.S. Chey, Terri Forman, Arthur France, Peter Franck, Sheri Hutson, Wendy Ho Iwata, Harriett Moss, Caroline Mufford, Micha Peled, Rob Semper, Cyrian Tabuene, Barbara Torrell, and Isabel Yriguen to the Board of Convenors of the Public Access Corporation. Seconded and carried. The vote was unanimous.

The TPC then dealt with the third item proposed by the Public Access Subcommittee.

MOTION: The TPC approves allocation of $300 in public access development funds for payment to the National Asian American Telecommunications Association for its services as fiscal agent during the months of May and June. Seconded and carried.

The Viacom Cablevision Report

Sue Levitin thanked the TPC for its letter concerning the burden imposed by the street cutting

moratorium. Levitin reported that she and Kurt Jorgensen met with Singsen and Torrice on June 8th, concerning "window period" public access matters. She said that, from Viacom Cablevision's viewpoint, the meeting went very well. Singsen said that he found the meeting to be a positive experience.

Levitin reported that new cameras will arrive at Channel 25 today; and on the labor union sponsored program "On the Job!"

Levitin reported on Viacom Cablevision's "Constitution Day Project" and introduced Mr. Erin Brennan from the Public Eye organization. Mr. Brennan is in charge of the production. The ensuing discussion included a description of the planned programming; whether or not Channel 25 usage will be interrupted; how the Public Eye organization was selected; whether or not the programming on Channel 25 was an exercise of editorial authority by Viacom Cablevision; and whether or not Channel Six would have been a more appropriate forum.

The Construction Report

Levitin reported that the City's street cutting moratorium ordinance is still very much a problem. Viacom Cablevision is working in the North of market Street area, underneath the sidewalks, but has been completely stopped from crossing streets. The Company has found many locations where the owners have extended their basements out under the sidewalk, leaving no room for laying a trench.

Levitin said that the 1988 build is most difficult and expensive because the work is downtown in location and underground in nature and is located in a densely built area. The intensity of vehicular and pedestrian traffic, the large number of businesses to be potentially disrupted, the large number of utility installations in place, and the existence of basements under the sidewalks make for a very difficult and time consuming build. Viacom Cablevision is trying to meet with DPW to resolve some of these problems.

The Policy Committee

Rhonda Abrams (Chair) reported on the Policy Committee's work in developing a definition of what will constitute match for Viacom Cablevision's offer of matched grants.

The Consumer Services Subcommittee

Dick Hoss reported that Mr. Aubrey Harris, P.E., has recommended that the TPC contract with a field testing company to test signal quality at the maximum number of points in his testing plan -- 68 locations.

The Municipal Services Subcommittee

Esteves (Chair) reported that the Subcommittee's training workshop was a success. His conclusion was based on positive feedback from the participants.

Public Comment Period

Mr. Jorge Bustamente said that he considered Levitin's report on new cameras to be a favorable development. He referred to selection of the Public Eye organization to produce the Constitution Day project and said he would like to have seen a different process of selection.

Adjournment

The TPC adjourned at 5:40 p.m. and agreed to meet next on June 30th.

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

PLEASE NOTE

TO: TPC members

FROM: Public Access Subcommittee

DATE: June 5, 1987

RE: PAC Board of Convenors Nominees

The Public Access Subcommittee has available a file containing the resumes, questionnaires and nomination letters of all PAC nominees. This file is available for your review.

PUBLIC ACCESS SUBCOMMITTEE
PUBLIC ACCESS CORPORATION
BOARD OF CONVENORS

	Name	Nominated by
1.	Maria Agudelo	Public Access Producers Association
	Comments:	Has extensive experience as a Channel 25 producer and is an active member of San Francisco's Latin American community.
2.	Danny Beagle ✓	S.F. Labor Council
	Comments:	Has experience in public relations and community outreach, as well as with local unions.
3.	Terri Forman ✓	United Way of the Bay Area
	Comments:	Has extensive experience in public relations, marketing, and fundraising as well as non-profit administration. Has contacts with all United Way agencies.
4.	Peter Franck	Media Alliance
	Comments:	Copyright and media attorney. Has extensive experience in media law and non-profit administration. Former chairperson of the Pacifica Foundation.
5.	Arthur France ✓	San Francisco State Univ.
	Comments:	Has experience in public access policy, community outreach, video production and programming, teaching and non-profit administration. Active in Black community affairs.

6. Sheri Hutson — Nat'l Fed. of Local Cable Programmers - Far West

Comments: Has extensive experience as public access facilities manager, public access producer, community organizer, and with community access grants policies. Also, a S.F. Chamber of Commerce Business Volunteer for the Arts.

7. Wendy Ho Iwata ✓ — Chinese Affirmative Action

Comments: Has extensvie experience in television and radio production, public affairs programming, publicity, and marketing. Former Public Information Officer for KQED.

8. Harriet Moss — Fort Mason Foundation

Comments: One of the founders of the NFLCP. Has extensive experience in non-profit and public access management and administration. Cable consultant to various cities, former Cable TV officer for the City of Mountain View.

9. Caroline Mufford — Zellerbach Family Fund

Comments: Has extensive experience in non-profit administration, community outreach, grantwriting and fundraising, public relations, video production and training. Former aide to Carol Ruth sliver.

10. Micha Peled — Cineaccion

Comments: Has extensive experience in community organizing, non-profit management, budgeting, grantwriting and fundraising, and policy, and is an active member in the media arts and Latin communities.

11. Rob Semper — Exploratorium

Comments: Currently Deputy Director of Exploratorium. Has experience in non-profit management and administration, community outreach, media education, video production. Consultant to the State of California Telecommunications Task Force.

12. Cyrian Tabuena — W. Bay Multi-Service Center for Filipinos

Comments: Contract attorney. Has extensive experience in setting up non-profit organizaitons. Has been a board member of many non-profit and Filipino organizations.

13. Barbara Torrell — Assoc. of Calif. Indepdn. Public TV Producers

Comments: Has extensive skills in financial development and fundraising, non-profit administration, video production, community organizing.

14. Isabel Yriguen — Women's Building

Comments: Has extensive experience in fundraising, public relations, community outreach, active in the gay community.

15. Dr. Y.C.S. Chey — Multi-Service Center for Koreans

Comments: Has extensive non-profit management and administrative experience and is an active member of the Asian community.

16. Jim Belk — Capp Street Foundation

Comments: Has experience in financial policy, non-profit administration, fundraising and community outreach.

LIST OF NOMINEE NAMES AND ADDRESSES

Peter Adair
Adair Armstrong
900 23rd Street
San Francisco 94107
826-6500 (w)

Bernal Heights Community Foundation

Maria Agudelo
1025 Sanchez
San Francisco 94114
826-7840 (h)
239-0168 (w)

Public Access Producers' Assoc.

Solomona Aoelua
650 5th St. #306
San Francisco 94107
552-4650 (w)

Pacific Education Network

Buck Bagot
1591 Treat St.
San Francisco 94110
695-0424 (h)
989-7584 (w)

Public Media Center

Danny Beagle
ILWU
1188 Franklin St.
San Francisco 94109
653-1973 (h)
775-0533 (w)

S.F. Labor Council

Jim Belk
Capp St. Foundation
211 Gough St.
San Francisco 94102
552-0860

Capp Street Foundation

Jeff Chester
1610 9th St.
Berkeley 94710
528-1320

Film Arts Foundation

Dr. Y.C.S. Chey
1362 Post St.
San Francisco 94109
441-1881

Multi-Service Center - Koreans

Brian Delaporta
1590 34th Ave.
San Francisco 94122
564-5478 (h)

Neighborhood Arts Alliance

Marsha Emerman 789 6th Ave. #12 San Francisco 94118 387-4094	Gray Panthers
Terri P. Forman 410 Bush St. San Francisco 94108 772-4300 (w)	United Way of the Bay Area
Marge Farood 1800 Broadway #201 San Francisco 94109 885-0771	League of Women Voters
Arthur France 55 Chumasera Dr. San Francisco 94132 469-1626 (w) 469-0375 (h)	San Francisco State University
Peter Franck 433 California St. 11th fl. San Francisco 94104 781-3514	Media Alliance
Cecil Hale Broadcast Dept. City College of S.F. 50 Phelan Ave. San Francisco 94112 239-3525 (w)	City College
Joanne Harrison 1855 Kearney St. #113 San Francisco 788-3578	Independent Living Project
Alverta Harty Afgozu Saba Films 2482 Sutter St. San Francisco 94115 921-1507 (w) 234-2058 (h)	Western Addition Cultural Center
Irma Herrera 229 27th St. San Francisco 94131 821-0705 (h) 398-3344 (w)	San Francisco Foundation
Wendy Ho 2455 25th Ave. San Francisco 94116 558-2131 (w) 731-1307 (h)	Chinese Affirmative Action

Sheri Hutson 2402 California #507 San Francisco 94115 931-2207	Nat'l Fed. of Local Cable Programmers
Rhazia Khan 640 Pine St. San Francisco 94108 982-9171	Self-Help for the Elderly
Carl Loeffler 3123 Rincon Annex San Francisco 94119 431-7524 (w)	Artcom
Judith Lynch 149 9th St. San Francisco 94103 552-1250	Community Boards of San Francisco
Oscar Maciel 2457 Harrison St. San Francisco 94110 821-1155	Mission Cultural Center
Antonita Martinez 377-1/2 38th St. Oakland 94609 420-5859 (h) 826-5855 (w)	La Raza
Merle Mason 1111 17th St. San Francisco 94107 861-3282	Bay Area Video Coalition
Jerry Mays 2801 San Bruno Ave. San Francisco 94134 468-3335 (w) 337-9793 (h)	Bay Area Lawyers for the Arts
Julie Miller 4231 23rd St. San Francisco 94114 641-4071	Found. for Community Service Cable Television
Harriet Moss 345 63rd St. Oakland 94618 652-0519	Ft. Mason Foundation

Amy Mueller 950 Rhode Island San Francisco 94114 550-1819 (h)	Theater Bay Area
Caroline Mufford 695 3rd Ave. #4 San Francisco 94118 751-4258	Zellerbach Family Fund
Rick Pacurrar 511 Waller #3 San Francisco 94117 621-2598	Nat'l Gay Rights Assoc.
Richard Parker Dorothy Day Comm. Ctr. 54 McAllister St. #312 San Francisco 94102 474-2164	No. Market Planning Coalition
Micha Peled P.O. Box 5057 Mill Valley 94941 388-3721 (h) 459-1530 (w)	Cineaccion
Rob Semper 3601 Lyon San Francisco 94123 563-7337 (w)	Exploratorium
Cyrian Tabuena Morgenstein & Jubilerer 101 Market St. 6th fl. San Francisco 94105 896-0666 (w) 574-8710 (h)	W. Bay Multi-Service Center Filipinos
Mary Tobin 2280 Palou San Francisco 94124 648-6550	Catholic Charities
Barbara Torrell 74 Rockwood Ct. San Francisco 94127 564-6372	Assoc. of Calif. Indp. Public Television Producers
E.W. Wainwright 444 Francisco St. #205 San Francisco 94133 986-4126	Potrero Hill Neighborhood Assoc.

Alan White
3900 B 22nd St.
San Francisco 94114
821-1432

Glide Memorial U.M.C.

Calvina Williams
320 45th St.
Oakland 94609
652-3129

NAACP

James Yee
346 9th St.
San Francisco 94103
863-0814

Nat'l Asian-American
Telecommunications Assoc.

Isabel Yrigoyen
149 Chenery St.
San Francisco 94131
285-7510 (h)
474-3914 (w)

Women's Building

CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MONTHLY MEETING OF JUNE 30, 1987

I. Call to Order at 4 p.m.; Adoption of the Agenda; and Approval of the June 9th minutes

II. Public Comment Time

III. Staff Reports

***Action Item: A Request for Approval of a Plan to Ensure that the Two Access Development Contractors Are Able to Obtain Payment During the Months of July, August and September in View of the Fact that the Access Development Budget ($85,000) Was Inadvertently Omitted from the Budget

IV. Committee-of-the-Whole

***Action Item: The TPC's Window Year Recommendations

V. Subcommittee Reports as Warranted

The Consumer Services Subcommittee
The Educational Access Subcommittee
The Municipal Services Subcommittee
The Policy Committee
The Public Access Subcommittee

VI. New Business

VII. Additional Public Comment

VIII. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 - TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF JUNE 30, 1987

CALL TO ORDER AND ROLL CALL

The Chair (Will Leong) called the meeting to order at 4:00 p.m. at the Committee's office at 1182 Market Street. Secretary Emily Pike was not present due to an excused absence following an accident which requires an extensive amount of leave. Members present were: Esteves, Layer, Leong, Levitin and Singsen.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the June 9th minutes were approved.

A REQUEST FOR TRAVEL FUNDS

Michael Singsen received permission to attend the NFLCP Annual Conference in Chicago at TPC expense. The ensuing discussion included a review of the Mayor's action in cutting the TPC travel budget by $2,900 and the necessity of rationing travel funds.

The VIACOM CABLEVISION REPORT

Sue Levitin reported that the street cutting moratorium in the North of Market area is still very much a problem and that Viacom Cablevision is considering alternative methods of construction such as crossing the streets by stringing wire on poles and then running the wire down the poles to the conduits; or temporarily placing the wire on telephone poles; or getting special permission from the DPW to cut the streets; or asking the Board of Supervisors to extend the construction deadline in the affected area; or some combination of all of the methods. Levitin then reviewed the moratorium's adverse effect on construction costs.

STAFF REPORTS

Andrea Torrice reported that she has been working with a childrens' service organization; that she plans on preparing a public service announcement in August; will engage in a series of workshops with the United Way agencies; and that she took a short vacation.

Connie Brand reported that she and Debbie Horen from the Municipal Railway Department conducted three training workshops; that the editing class was completely filled by attendees; that nine agencies participated; that the Municipal Courts Department acted as the producer, Brand ran the video equipment, and the Main Library provided staff and equipment.

Brand reported that she has received a license for use of a videotex system; that the Planning Department has a grant to study the economic impact of the arts; and that she has scheduled four future projects with the Water Department. Esteves reported that the California State Library will help finance videotex.

Dick Hoss reported that the access development budget has not as yet been restored to the Mayor's budget and the Controller has not approved Proposition "J" contracts for Brand/Torrice. He suggested that the Committee request that the Board of Supervisors adopt a resolution authorizing payment to Brand/Torrice during the time before the access development budget is restored. The ensuing discussion included a statement by Connie Brand that she has serious concerns about accepting money not approved in a budget and paid out prior to the signing of a contract. The discussion then turned to alternative ways to pay Brand/Torrice until such time as money is available and contracts are signed.

The Chair asked Brand and Torrice to tell the TPC how they feel about continuing to work without contracts and without budgeted funds. Brand said that she will work through July 6th and then be available on an on-call basis. Torrice said that she will work through July 15th and then see how things develop.

Members decided that the next step was to meet with the Clerk of the Board of Supervisors within a two-day timeframe to seek resolution of the budgeting and contract issues.

ADJOURNMENT

The Committee adjourned at 5:20 p.m. and will meet next on July 31st.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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AGENDA FOR THE MEETING OF JULY 31, 1987

I. Call to Order at 3 p.m.; Adoption of the Agenda; and Approval of the June 30th minutes

II. Public Comment Time

III. Committee-of-the-Whole

A Discussion of the Timeline for Presenting the "Window Period" Findings to the Board of Supervisors

IV. The Chair's Report

Introduction of the Controller's Employees Assigned to Audit the Two Fiscal Agents

V. Staff Report -- Dick Hoss

An Update on the City's Authority to Contract with Access Development Coordinators Brand and Torrice

VI. Subcommittee Reports as Warranted

Public Access Subcommittee

***Action Item: A Request for Approval of Payment in the Amount of $450 to the Foundation for Community Service Cable TV (FCSCTV) for Technical Assistance in Developing By-Laws for a Public Access Corporation and in Facilitating the Formation of a Board of Directors

***Action Item: A Request for Approval of a Payment to Andrea Torrice in the Amount of $40 as Reimbursement for a Theft Which Occurred in the TPC Office

VII. New Business

VIII. Additional Public Comment

IX. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

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MINUTES OF THE MEETING OF JULY 31, 1987

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 3:00 p.m. at the Committee's office at 1182 Market Street. Members present were: Esteves, Kelsey, Layer, Leong, Levitin, Pike and Singsen. Members absent were: Abrams and Dilworth-Battle

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The agenda was adopted as written and the June 30th minutes were approved.

A WELCOME BACK FOR EMILY PIKE

Members expressed great pleasure in that fact that Emily Pike has recuperated sufficiently from an accident to attend a meeting in the Committee's office.

PUBLIC COMMENT TIME

Mr. Michael Spain reserved his comments for the end of the meeting.

THE WINDOW PERIOD TIMELINE

Levitin reported that Viacom Cablevision is still deep in the process of discussions with public access groups. The Educational Access Subcommittee's negotiations are the most conclusive to date. Viacom Cablevision feels that it is premature to take a three-year window proposal to the Committee on Human Services.

MOTION: The TPC shall send a letter to the Chair of the Human Services Committee apprising her of the status of the "window proceeds" and the probable timeline for making recommendations. Seconded and carried.

THE CONTROLLER'S AUDIT OF THE FISCAL AGENTS

The Chair introduced Mr. Ben Carlick, a Supervising Auditor for the Controller, and Ms. Teresita Navarro, a Senior Auditor. Mr. Karlick described the scope and objectives of his assignment which is to audit the two fiscal agent's handling of the 0.2% access development proceeds received from the inception of the program through June 30th. Mr. Karlick said that the auditors will make a recommendation for every finding which they report.

CONTRACTS FOR THE ACCESS DEVELOPMENT COORDINATORS

Dick Hoss reported that the Civil Service Commission will authorize the Committee to contract with Gordon/Torrice at its August 17th meeting.

MOTION: The TPC shall offer contracts which extend until June 30, 1988 with duties in accord with the three-year plan. The Executive Committee is authorized to adjudicate any problems which arise in negotiation of the contracts. Seconded and carried.

MOTION: The staff shall develop a timetable for execution of the various tasks involved in carrying-out the TPC's activities. Seconded and carried.

CABLE LEGISLATION BEING CONSIDERED BY THE BOARD OF SUPERVISORS

Hoss reported that the Board of Supervisors is considering an amendment to the franchise which would require Viacom to provide 60 days notice to the Board of Supervisors of any change of cable channel assignments, including the dropping of a broadcast station. Sixty days notice would have to be given to any television broadcaster whose channel assignments Viacom proposes to change or delete from the system. The amendment would require Viacom to continue to provide programming in the categories of educational, foreign language and PBS programming.

The Board is also considering a resolution which would authorize the CAO to make an agreement with Viacom International, Inc. regarding Viacom's activities in South Africa.

Levitin reported that Viacom Cablevision is still working with the City Attorney on proper language for the proposals and regards the legislation as being a matter between Viacom Cablevision and the Board of Supervisors.

The Committee then embarked upon a discussion of what its mandate consists of, with sharp divergence of view being expressed. Kelsey reminded the Committee of Supervisor Silver's comments to the effect that the TPC should be extremely active and deal with any cable issue. Topics covered included the means by which the TPC will know when the Board of Supervisors wants it opinion on a matter; and whether or not the 60 day notice ordinance is within the scope of the TPC's duties under Resolution 228-83.

MOTION: The TPC requests the Policy Committee to develop a procedure for determining which issues the TPC will make recommendations on. Seconded and carried.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

The Public Access Subcommittee requested inclusion of two action items on the agenda.

MOTION: The TPC approves payment in the amount of $450 to the Foundation for Community Service Cable Television for technical assistance in developing by-laws for a Public Access Corporation and in facilitating the formation of a Board of Directors. Seconded and carried.

MOTION: The TPC approves payment in the amount of $40 to Andrea Torrice in reimbursement for a theft which occured in the TPC office. Seconded and carried.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported on the installation of a new character generator at Channel 25, with a much larger capacity and more colors; and on the installation of a video monitor with better visual quality. She reported on Viacom's "Viewers' Choice" promotion and distributed a brochure.

NEW BUSINESS

No new business was proposed.

PUBLIC COMMENT PERIOD

Mr. Mike Spain commented on the TPC's discussion about when the Board of Supervisors wants it advice. He expressed the opinion that the Board by-passed the TPC on the two issues under discussion because it wanted to handle the matters itself.

ADJOURNMENT

The Committee adjourned at 4:30 p.m. and scheduled its next meeting for September 15th.

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TELECOMMUNICATIONS POLICY COMMITTEE

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A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MEETING OF SEPTEMBER 15, 1987

I. Call to Order at 3:30 p.m.; Adoption of the Agenda; and Approval of the July 31st minutes

II. Public Comment Time

III. Committee-of-the-Whole

A Discussion of the Timeline for Presenting the "Window Period" Findings to the Board of Supervisors

IV. Staff Reports

(A) ***Action Item
A Request for Authorization to Ask the Board of Supervisors' for Permission to Expend Carried-Over Access Development Funds and To Fund the FY 1987-88 Access Development Activities with 0.2% Proceeds rather than with Grant Funds

V. Subcommittee Reports as Warranted

Public Access Subcommittee

(A) ***Action Item: A Request for Approval of Payment to the NAATA in the Amount of $300 for Accounting Services Performed During July and August

(B) ***Action Item
A Request that the TPC approve the appointment of three persons to the Board of Convenors

VI. Old Business

The Board of Supervisors' Committee on Oversight hearing on the Management Audit Report

The Controller's Audit's Division report on the handling of funds by the fiscal agents

The Gordon/Torrice access development contracts

VII. New Business

VIII. Additional Public Comment

IX. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF SEPTEMBER 15, 1987

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 3:30 p.m. at the Committee's office at 1182 Market Street. Members present were: Abrams, Esteves, Layer, Leong, Levitin, Pike and Singsen. Members absent were: Dilworth-Battle and Kelsey.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The July 31st minutes were approved and the agenda was amended to advance the time of presentation of the Policy Committee report.

PUBLIC COMMENT TIME

No comments were forthcoming.

THE POLICY COMMITTEE REPORT

Rhonda Abrams reported that the Policy Committee met on September 4th and conducted its second meeting on the subject of what constitutes matching funds under provisions of the agreement between the TPC and Viacom Cablevision, dated September 9, 1985. She distributed a one-page report (attached) and said that its "match" requirements pertain to Viacom's grants as offered in the MOU; and that other "match" should still be sought to support PEG access.

The report stated that the matching funds may be "area specific" but cannot be "program or producer specific." Abrams said that a series of programs which meets the criteria could clearly qualify for a grant. She said that the standard is set in furtherance of the original intent which was to elicit broadbased, local development of cable television access. The ensuing discussion dealt with the question of whether or not Viacom will perform a case-by-case review; whether the area specific guideline is flexible; and whether the guideline is Viacom's or is a proposed TPC policy.

Levitin reported that Viacom Cablevision is not interested in making a case-by-case review of eligibility each time that "match" is offered; that although Viacom will match an amount lesser than $25,000 the Company does not want to make out a check every time that some qualifying match is found; that the guideline is to be construed as calling for some judgement calls but is not particularly flexible; and that the criteria should be regarded as an addendum to the MOU of September 9, 1985.

The Committee turned to the question of which of the three PEG sectors are likely to raise funds and whether or not each of the three sectors would be required to raise a proportional amount of the "match" and whether PEG sectors would receive Viacom Cablevision grant money in proportion to the amount of "match" which that sector raised. Abrams said that the Policy Committee did not envision a race for grant funds and that if one access sector raised the entire $25,000, the grant would be forthcoming. The question of how grants would be divided among the three PEG sectors was not resolved but left for resolution at a later time.

The Committee then took up the requirement that contributions must come from the immediate Bay Area and that the sources be limited to independent foundations, corporations, individuals or organizations. The Policy Committee report stated that contributions from tax-based entities would not qualify as "match." Abrams said that Viacom Cablevision had originally intended to make grants matched by funds raised in the City but has now agreed to match funds raised in the Bay Area. The access development contractors were advised to proceed with fund raising because the time period during which Viacom Cablevision will make the grant ends on June 30, 1988.

THE FRANCHISE "WINDOW YEAR" RECOMMENDATIONS

Levitin reported that Viacom Cablevision is meeting with the Public Access representatives (Singsen and Torrice) on September 16th and will have more information at the next monthly meeting.

DISCUSSION OF A "SUPPLEMENTAL APPROPRIATION" REQUEST TO OBTAIN AUTHORIZATION TO EXPEND CARRIED-OVER ACCESS DEVELOPMENT FUNDS

The Committee took up an action item proposed by the staff because the TPC closed the fiscal year with $32,849 worth of uncompleted access development projects.

A proposed resolution would have authorized the staff to proceed with a request for permission to recycle the funds for all of the projects which were authorized in previous years and also to proceed with a request to substitute funds in the hands of the Controller in place of grant funds which were approved as part of the approved FY 1988 budget.

The ensuing discussion commenced with expressions of concern about the fact that a $12,500 portion of the FY 1988 access development budget is based upon the expectation that matched funds will be forthcoming. The TPC viewed Viacom Cablevision's recent payment to the Controller of $14,688 to fulfill its 0.2% formula obligation for the First Quarter of 1986 as a possible source of funds-on-hand which could be substituted for the $12,500 based on the assumption that grant money is forthcoming. The staff said that only $12,500 of the budgeted $25,000 in grant funds is in question because the other half was awarded by Viacom Cablevision when it made an unmatched grant of $25,000 on April 2, 1987.

Emily Pike made a motion authorizing the TPC to request the Board of Supervisors to approve a Supplemental Appropriation which would substitute funds-on-hand for $12,500 of the grant proceeds which were budgeted for access development in FY 1988. The motion was seconded and the ensuing discussion turned to the matter of access development projects authorized in previous years but not encumbered by June 30th. Esteves requested the TPC to approve a request for permission to recycle $22,649 in funds appropriated for projects which were not undertaken. Pike added the request to the original motion by making a substitute motion which included the $22,649 request. The substitute motion was seconded and the Committee then adopted the motion which read as follows.

MOTION: The TPC is authorized to request the Board of Supervisors to approve a Supplemental Appropriation which would substitute funds-on-hand for $12,500 of the grant proceeds which were budgeted for access development in FY 1988. The TPC shall also request permission to recycle $22,649 in funds appropriated in previous years for projects which were not undertaken by June 30, 1987. Seconded and carried with Abrams opposed and Singsen abstaining.

Esteves then made a motion to request the Board of Supervisors to adopt a resolution accepting a Viacom unmatched grant of $12,500 which was donated on April 2nd and credited to FY 1988; and accepting such future grants as Viacom and other parties may make for access development. The motion was seconded and the ensuing discussion was addressed to the question when and how the Friends of the Library should turn over the $12,500 in grant funds.

Esteves withdrew the motion upon receiving assurance that matter will be dealt with promptly.

THE PUBLIC ACCESS SUBCOMMITTEE REPORT

The Public Access Subcommittee requested inclusion of two action items on the agenda.

MOTION: The TPC approves payment in the amount of $300 to the National Asian American Telecommunications Association for accounting services performed during July and August of this year. Seconded and carried.

MOTION: The TPC approves the appointment of Alverta Harty, Jerry Mays and Rick Pacurrar to the Board of Convenors of the Public Access Corporation as replacements for members who have resigned. Seconded and carried.

THE VIACOM REPORT

Sue Levitin reported that Viacom Cablevision is on schedule in its construction work. The Company is working in the North of Market area which is probably the hardest area of the City to work in. The DPW has decided to issue some emergency street opening permits which will enable Viacom to cross necessary streets. Viacom Cablevision continues to work in the North of Market area where traffic is dense and is trying to close off a street at a time through November. A moritorium will then halt activity during the Christmas season with work resuming thereafter.

Aerial construction is in progress in the Outer Potrero area. Midtown Terrace is affected by Rule 20A, the DPW requires underground construction of utilities and cable tv.

Levitin reported that she will attend a portion of the NATOA conference in Milwaukee and is particularly interested in a session on controversial access programming. Viacom has completed an effort related to the AIDS campaign.

OLD BUSINESS

The Chair reported that the Board of Supervisors' Committee on Oversight may consider the Management Audit Report as early as September 24th. The Committee agreed that it should prepare for the event by calendaring the report's staff recommendations for the next TPC monthly meeting.

The Chair reported that the Controller's Internal Audits Division audit of the fiscal agents will be released rather soon and he and the staff will respond to the auditors in an exit interview.

The access development contractor's (Gordon/Torrice) new contracts were discussed. The Committee focussed on the new pay provisions in a discussion as to whether the contractors will simply earn the same amount of money by accomplishing the work in a shorter period of time; or whether they have been (Torrice) or will be (Gordon) awarded higher rates of pay which may reach an annualized rate which will strain or exceed the access development budget for the next fiscal year. Members acknowledged that little can be done inasmuch as the City Purchaser and the contractors have signed the agreements. The Chair said that he will review the matter of Torrice's immediate increase. The pay provision in Gordon's contract will be discussed in December when an increase may be negotiated.

Singsen raised the issue of members attendance at monthly meetings

NEW BUSINESS

MOTION: The TPC authorizes Roberto Esteves to attend the National Association of Telecommunications Officers and Advisors conference in Milwaukee. Seconded and carried.

PUBLIC COMMENT PERIOD

Comments were not forthcoming.

ADJOURNMENT

The Committee adjourned at 5:00 p.m. and scheduled its next meeting for October 13th.

MATCHING FUNDS QUALIFICATIONS

The purpose of the matching funds provision in the original agreement between Viacom and the Citizens Telecommunications Policy Committee, dated September 9, 1985, was to insure and encourage community financial support for Public, Educational and Governmental Access Development.

Per that agreement, the following requirements must be met to qualify for matching funds from Viacom. Funds (or services) that do not meet these qualifications can, and should, still be sought for support of PEG Access; they merely do not meet the Viacom matching provisions.

1. Contributions must be monies. Services, material, discounts, or other non-money contributions of whatever financial value do not qualify.

2. The matching fund provision is designed to encourage as broad-based access development as possible. To that end, and to ensure that contributions are not self-serving, the contributor can place limited restrictions on the use of the funds. A contribution will qualify that is area specific (i.e. public, municipal, educational, or production vs. access development) but can not be program or producer specific.

3. Contributions must come from the immediate Bay Area. Sources of funds can be independent foundations, corporations, individuals or organizations. Contributions from tax-based entities do not qualify for matching funds.

4. Contributions must be made directly to the PAC or to the City or other Agency serving as the fiscal agent for access development. Grants made to other organizations for access development/production do not qualify for matching funds.

5. The time period for raising the matching funds contributions is July 1, 1987 to June 30, 1988.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

AGENDA FOR THE MEETING OF OCTOBER 13, 1987

I. Call to Order at 3:30 p.m.; Adoption of the Agenda; and Approval of the September 15th minutes

II. Public Comment Time

III. Committee-of-the-Whole

A Discussion of the Timeline for Presenting the "Window Period" Findings to the Board of Supervisors

A Discussion of Section 5 of the Management Audit Report "Management of the Telecommunications Policy Committee"

IV. Reports from the Chair and the Staff

The Controller's Internal Audits Division's Report on Management of Funds by the Fiscal Agents

V. Subcommittee Reports as Warranted

VI. The Viacom Cablevision Report

VII. Old Business

VIII. New Business

IX. Additional Public Comment

X. Adjournment

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TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 • TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

MINUTES OF THE MEETING OF OCTOBER 13, 1987

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 3:30 p.m. at the Committee's office at 1182 Market Street. Members present were: Dilworth-Battle, Layer, Leong, Levitin, Pike and Singsen. Members absent were: Abrams, Esteves, and Kelsey.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The September 15th minutes were approved and the October 13th agenda was adopted as published.

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PUBLIC COMMENT TIME

No comments were forthcoming.

THE FRANCHISE "WINDOW PERIOD" PROCEEDINGS

The Committee agreed that more information will have developed by the November monthly meeting.

THE CONTROLLER'S INTERNAL AUDITS DIVISION REPORT ON THE FISCAL AGENTS' PERFORMANCE

The Chair reported that the report is in draft form and that the issue of an alleged $92 underpayment has been resolved in favor of Viacom. The Controller will issue a final audit report by the time of the TPC's November meeting.

Levitin reported that Viacom Cablevision takes exception to the notion that its payments have been late and that a 7% interest charge should be levied. The Committee then discussed the interest issue in some detail; particularly the question of whether the Committee is to become a collection agency.

The Chair expressed very warm praise for Connie Brand Gordon's help in responding to the preliminary audit.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported on Viacom Cablevision's "National AIDS Month" activities which included cablecasting information on AIDS on various cable channels; posting of AIDS informational posters; and a marketing campaign which includes offering free cable installation in the homes of AIDS victims.

Levitin described Viacom's construction effort which is ahead of schedule. The Company hopes to complete all of the 1988 construction in the first quarter of 1988. Viacom is now able to make street crossings in the North of Market area. Underground construction is complete in the Midtown area; and Viacom is active on property belonging to the Housing Authority on Potrero Hill and in the Sunnydale area.

Viacom Cablevision has developed a cable program which enables the President of the Board of Supervisors to make a report to the public each month on legislative issues.

A DISCUSSION OF SECTION 5 OF THE MANAGEMENT AUDIT REPORT "MANAGEMENT OF THE COMMITTEE"

Michael Singsen commenced the discussion by asking whether or not the way that the TPC is structured is the most efficient way to address the Committee's goals. He described the TPC's authority as being insufficient to enable it to move in an expeditious way. Singsen cited the Board's handling of the KBHK dial position issue as an example of the Board not turning to the TPC for advice. He alluded to the Cable Communications Policy Act as a force which has eroded cities' authority over the cable industry; and to recent challenges in Federal District Courts.

Singsen asked the Committee to address the City's relationship with Viacom and said that in his opinion the options are to either strengthen the TPC by obtaining establishment of strong mandates and obtaining increased funding to provide clerical staff; or to cut the TPC's scope -- perhaps to the extent of eliminating the Committee and reallocating its functions along the lines recommended by the management audit.

Singsen said that he believes the TPC's access development work is its most substantial accomplishment; cited the formation of a PAC as an example of significant progress; and said that he has observed the other access subcommittees to be doing good work. Singsen asked whether or not the three access sectors might not work more effectively without going through the TPC for authority to do things.

Members discussed the matter in some detail and agreed that it could not be resolved at this meeting. The Chair then directed inclusion of "The Future of the TPC" as an agenda item for the November meeting.

THE MUNICIPAL ACCESS SUBCOMMITTEE

The Subcommittee reported developments at its meeting on September 1st; and Connie Brand Gordon reported on her activities in September.

THE PUBLIC ACCESS SUBCOMMITTEE

Andrea Torrice reported on programming; outreach activity; and developments at the Board of Convenors. She reported apparent damage to the hard disk on the IBM computer assigned to public access development.

MOTION: The TPC authorizes repair of the IBM computer assigned to Andrea Torrice. The cost shall not exceed $500. Seconded and carried.

ADJOURNMENT

The Committee scheduled its next monthly meeting for November 9th, a Monday, at 4 pm.
The Committee adjourned at 4:55 pm.

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-SF = Telecommunications Policy Comm.,

PUBLIC ACCESS COMMUNITY DEVLOPMENT COORDINATOR

REPORT FOR SEPTEMBER 15-OCTOBER 15, 1987

[Minutes]

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PROGRAMMING

The Legal Aid Society and the American Cancer Society are currently working on the production of a Channel 25 program about the legal rights of cancer survivors. This is their first video project, and the program will be cablecast in January.

Volunteers In-Service Program is planning to do a program about their Senior citizens outreach program. The program is tentatively scheduled to be cablecast in December.

OUTREACH

Informational materiall about public access opportunities was sent to 50 community organizations. I gave presentations to three groups as a result of the mailings: The Legal Aid Society, American Cancer Society, and the Partnership Project. I also gave a presentation to the City College video production class. I conducted a one day workshop "How to produce a Channel 25 program". Nine people attended the Saturday workshop. I placed notices in the upcoming issues of the Bay Area Video Coalition Newsletter, and the Media Alliance Newsletter to solicit volunteers to assist with Channel 25 productions. I wrote and designed a new promotional flyer and met with Tim Feeder of the Public Media Center to get ideas for publicizing Public Access. I responded to 37 calls regarding workshops, programming and internships at Channel 25.

I met with Sue Levitin, Michael Freeman and Debra Howard of Viacom to discuss a community outreach strategy for the fall. We are planning several outreach projects, and have begun plans for our third PSA DAy which is scheduled for December 4th.

SAN FRANCISCO COMMUNITY TELEVISION CORPORATION

I attended all the meetings of the Board of Convneners as well as their subcommittee meetings. I prepared a report for the Governance Subcommittee on By-laws of Public Access Corporations, and prepared and sent out to all Conveners minutes, agendas, and informational materials. I set-up a bank account with the Treasurer and hnadled paperwork for the State regarding their non-profit filing.

I reserached and wrote a San Francisco Foundation technical assistance grant for Board development and organizational planning. I also attended a workshop on grantwriting at the Foundation Center.

ADMINISTRATIVE

I attended the TPC meeting, staff meetings, meetings with the auditors, and a meeting with Viacom Cablevision regarding the Public Access portion of the franchise. I developed a three-month workplan, updated mailing lists, began research on fundraising to match the 25,0000 grant, and spent several hours troubleshooting on my computer which appears to have a hard disc problem. The warranty has expired and the access development funds are frozen by the Controller until November, making it impossible for us to pay a technicician to fix it. I am investigating other solutions to the problem at this time.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

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AGENDA FOR THE MEETING OF NOVEMBER 17, 1987

I. Call-to-Order at 4 p.m.; Adoption of the Agenda; and Approval of the October 13th Monthly Meeting Minutes

II. Public Comment Time

III. Reports from the Chair and from the Staff

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IV. The Viacom Cablevision Report

V. Subcommittee Reports

VI. Committee-of-the-Whole

A Discussion of the Timeline for Presenting the "Window Period" Findings to the Board of Supervisors

VII. Old Business

The "Future of the Telecommunications Policy Committee" in view of the Management Audit Report recommendations, the effect of the Cable Communications Policy Act, the possible effect of recent Federal District Court decisions, and other considerations (The discussion commenced on October 13th when the Committee took up the matter of the Management Audit Report Section V)

VIII. New Business

IX. Additional Public Comment Time

X. Adjournment

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

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A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF NOVEMBER 17, 1987

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 4 p.m. at the Committee's office at 1182 Market Street. Members present were Esteves, Layer, Leong (Chair), Levitin and Singsen.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The October 13, 1987 minutes were approved and the published agenda was adopted.

PUBLIC COMMENT TIME

Professor Phil Brown from the Broadcast Department at CCSF described the Community College District's action of putting additional money into the headend granted by the TPC. He then commented on the "Old Business" agenda item which dealt with various options for changing the City's relationship with Viacom and its overall approach to cable television. Mr. Brown expressed the opinion that Option III -- the disbandment of the TPC should not be effectuated because one access development entity would be superior to a fragmented approach to the Board of Supervisors and to Viacom.

Mr. Mike Spain, a producer, commented on the TPC's access development contract payment schedule which provides a higher level of compensation for municipal access development than for public access development. He expressed the opinion that the two contracts should pay the same amount to avoid treating public access development as the lesser of equals.

Ms. Debi Horen reserved her comments for the public comment time provided at the end of the session.

REPORTS FROM THE THE STAFF

The Committee then went over written reports by the cable officer and the contractors.

THE VIACOM CABLEVISION REPORT

Sue Levitin reported that 85% of the North of Market wiring area is being marketed; and that promotion includes advertising in the Tenderloin Times. The John Muir Apartments, a 700 unit complex in the southwest corner of the City, has signed an agreement with Viacom. The Potrero Hill wiring is completed and Viacom is now doing construction work in the Sunnydale area which is occupied by housing projects.

Levitin was asked if Viacom by-passes areas containing public housing and replied that construction in such areas is slower in some cases because Viacom has to deal with the Housing Authority but that public housing receives the same attention as other areas.

In 1988, Viacom will attend to "pocket areas" which were not wired when Viacom and its predecessor did the earlier construction work. Esteves reported that he has observed new housing construction in the form of a condominium development at the end of Fulton Street and then asked Levitin whether or not Viacom intends to pick-up such areas. Levitin asked whether the area is within the perimeter of the wiring plan and said that Viacom is not committed to expanding the wiring plan.

Levitin concluded the Viacom report by describing the HBO effort to raise money to help homeless Americans. HBO produced an event featuring dozens of performers and unscrambled its signal so that all of Viacom's subscribers (115,000 households) could view the programming on cable channel 28.

SUBCOMMITTEE REPORTS

The Educational Access Subcommittee

Hal Layer reported that the Subcommittee met on November 4th and spent considerable time discussing its budget and the fate of funds not encumbered by June 30th of this year. The John O'Connell studio and the CCSF headend were also an agenda item. Layer reported that the Subcommittee will meet next on December 9th to prepare its FY 1988-89 budget request.

The Municipal Services Subcommittee

Esteves reported that the Subcommittee met on November 3rd and considered a number of matters including a status report on the telephone training tape and the California Academy of Sciences tape; the Budget Analyst's report on City media expenditures; the future of the TPC with a discussion of

various options for changing the City's relationship with Viacom and its overall approach to cable television; the recommended method for recapturing use of the municipal access development funds which were not encumbered by June 30th; the Subcommittee's FY 1988-89 budget request; and a report stating that the Library will apply to fund videotex services to the community with equipment probably being located at the O'Connell/KALW studio.

The Public Access Subcommittee

Michael Singsen reported on the Subcommittee's progress in talks with Viacom. He said that Viacom has been forthcoming and has purchased equipment for Channel 25. Singsen reported that the non-profit access corporation has met and will hold a retreat on the weekend of November 21st to develop a consensus on the governance structure, by-laws and budget. The Subcommittee will prepare a budget request in time for the TPC's December monthly meeting.

OLD BUSINESS

The Committee turned to a discussion of the future of the TPC in view of the effect of the Cable Communications Policy Act, the possible effect of recent Federal District Court decisions, the Management Audit report recommendations and other considerations. The Chair (Leong) asked each TPC member to comment on Michael Singsen's working paper which is entitled "Options for Reformation of the City's Relationship to Viacom" (attached).

Michael Singsen commented that his feelings and thoughts on the matter were presented in the working paper and that he thinks that more information must be developed before venturing an opinion as to which single option is the best one.

Roberto Esteves expressed the opinion that the CAO's office is better able to handle the TPC's activities and that some clerical support could be obtained by placing the function there. Ensuring completion of the wiring plan was a major reason for creation of the TPC and the advanced stage of completion of construction should enable the TPC to turn to other matters such as handling assignments from the Board and advising it on consumer issues. Esteves said that we are entering an era where programming is extremely important.

Hal Layer expressed the opinion that the TPC has always been too small to have members handle a large number of issues. He felt that Education Access activity should be supported by a full 1/3 of the 0.2% proceeds; that it has fewer troops going after dollars but has equal responsibility for activating a station.

Sue Levitin expressed the opinion that one of the TPC's major mandates is about to be concluded because construction is on the verge of completion. The federal cable act does handle many issues that local cable committees used to deal with and it is time to get access up and running.

Levitin said that Viacom is in a unique position in that it needs logical and consistent interaction with the City which can be difficult when dealing with volunteers. She noted that Viacom feels that it could have dealt more expeditiously with the street cutting moratorium if the CAO's office was more fully involved in cable. She said that Viacom could support Option II which calls for splitting off regulatory functions or Option III which calls for termination of the TPC (see attached document). If regulation is turned over to the CAO, Viacom would not be involved in TPC access activity unless invited to be. The Company would like to have a totally positive relationship with the City. Levitin concluded her remarks by suggesting that a TPC representative meet with involved members of the Board and with the Clerk of the Board.

Will Leong expressed the opinion that lines of authority and supervision of staff and contractors is the foremost problem and that assumption of duties by the CAO's office appears to be the most effective option.

Leong then declared the comment period to be at an end.

Esteves introduced a motion to formally explore the possibility of moving the TPC's management/regulatory functions and its funding to the CAO's office; stating that such an action was essential if the TPC is develop a budget at its next meeting. Layer seconded the motion.

The ensuing discussion dealt with the matter of whether or not the three options in the Singsen paper should be included in the exploratory talks with involved Board members and with the Clerk of the Board. The Committee also discussed who should represent the TPC in such meetings and concluded that the Chair should represent the TPC. The discussion of the motion included whether or not the amount of access development money available to the TPC might be increased by splitting off of regulatory functions.

Esteves amended his motion to state that the TPC authorizes the Chair to explore the three options in terms of practicality, feasibility and cost. The amended motion was seconded and approved.

The Chair asked members to apprise him as to who at the Board they have been talking to. He said that he will see the President of the Board, the Clerk of the Board and the CAO. The Chair said that he did not expect the Oversight Committee to take up the TPC management audit in the immediate future.

The TPC's size was discussed as a possible issue. Singsen noted that some members are up for reappointment. Esteves requested a review of the attendance records of those seeking reappointment.

THE FRANCHISE WINDOW

The Committee took up the matter of when the franchise window recommendation process will be concluded. Esteves said that he would like to forward the issues to the Board rather soon. He noted that the Municipal Access Subcommittee has only met with Viacom once. Levitin said that Viacom views the window recommendation process as a complex one; that some of the issues raised are not window year issues; and that Viacom wants to conclude its negotiations with the Public Access Subcommittee before scheduling more meetings with the Educational and Municipal Access sectors.

ADDITIONAL PUBLIC COMMENT TIME

Debi Horen, a Municipal Services Subcommittee member who is employed by the Municipal Railway, said that she welcomes the restructuring talks; that each of the three access sectors should have its own governing board; and that some subcommittees are not fully represented in TPC deliberations. Esteves noted that the Municipal Access Subcommittee has two TPC members who do not regularly attend meetings.

Michael Spain, a producer, expressed the opinion that Viacom is too strong an entity to be dealt with by a volunteer committee and hence is not held accountable in some instances (e.g. the condition of VCRs at Channel 25). Mr. Spain said that he sees little value in surveys; and that access activity should be handled by a centralized body rather than by separate access sector organizations. He expressed the belief that municipal access activity, if allowed to go it alone, would achieve a preferential position because the City is more attuned to that type of activity; and would embark on projects of little general value such as closed circuit systems to allow bureaucrats to talk to each other. He concluded his remarks by stating the belief that the Board has been using the TPC as a stooge by not asking its opinion when really important issues are involved.

Harriett Moss, a member of the community tv corporation and formerly director of access activity in Mt. View, expressed the opinion that regulation by volunteers is impossible. She expressed the hope that PEG users will continue to have a forum in which to discuss the entire access process.

Phil Brown referred to a comment by an earlier speaker to the effect that some subcommittees are not fully represented in TPC deliberations. He noted the Educational Access Subcommittee is well attended by TPC members. Professor Brown restated his opposition to disbanding the TPC.

The Chair set the Committee's next monthly meeting for December 10th at 4 p.m.

The Committee adjourned at 5:55 p.m.

OPTIONS FOR REFORMATION OF CITY'S RELATIONSHIP TO VIACOM

Working Paper, prepared by Michael Singsen: November 17, 1987

This paper outlines three options for reformation of the regulatory and policy structure created by the City to manage its relationship with Viacom and overall approach to cable television.

The current structure, established in 1980, and modified, in part, over the next seven years, is not working effectively. The Telecommunications Policy Committee is unable to carry out its mandated responsibilities because of structural problems built into the cable franchise provisions which created it. Many of these defects are correctly identified by last year's Management Audit performed by the Budget Analyst. In addition, the federal Cable Act of 1984 and recent court decisions have limited the City's ability to regulate cable television.

Without addressing each problem in great detail, I want to lay out what I see as the major problems that must be remedied:

A. The Board of Supervisors, through the franchise, has not clearly delegated authority for franchise monitoring and compliance enforcement. The franchise, moreover, does not reflect recent changes in federal cable television law. In the absence of clarity in the franchise, confusion and inaction is the result.

B. The City provides inadequate funding to the TPC for cable franchise related regulation and policy formation.

C. Although the TPC has accomplished a number of important achievements, it has not developed a master plan for cable regulation, policy formation or program development, or otherwise established priorities for its activities.

D. The TPC provides inadequate oversight of TPC staff activities, and such oversight is not forthcoming from the Clerk of the Board. Moreover, staff is often unresponsive to TPC efforts to provide guidance, or is unable to carry out the duties assigned it by the TPC. Consequently, staff is not accountable or used effectively, impeding progress toward accomplishment of the articulated TPC goals and objectives.

E. As a result of the above, exacerbated by the volunteer character of the TPC membership and the widely varying commitments of this membership to the business of the TPC, the TPC is unable to move forward in a deliberate

manner to address cable related issues of importance to the Board of Supervisors and the citizens of San Francisco.

I believe that this is the right time for the TPC to consider a complete reformation of the City's relationship to the cable franchise. The Board of Supervisors is scheduled to consider the Budget Analyst's Management Audit and the TPC's franchise "window year" recommendations in the near future. The San Francisco Community Television Corporation is nearing completion of its three year plan and budget proposal. A new Mayor will take office in January. Rather than address any of these issues piecemeal, the City would be best served by a comprehensive approach.

Towards this end, I have outlined three options for such an approach. These options are barely sketched out and should not be considered complete. And I'm sure they are not the only possibilities worth looking at. I advance them only to put some ideas on the table for further discussion.

I. Expand Authority of TPC

A. Seek Charter amendment to recognize TPC as a Commission.

B. Increase funding for staff and other resources.

C. Regulatory Functions

1. Clearly delegate authority to TPC to handle all regulatory functions.

2. TPC given power to monitor and enforce compliance with Viacom's Franchise obligations:

a. Monitoring compliance with wiring and construction plan.

b. Maintaining technical standards.

c. Handling consumer complaints and all other consumer issues.

d. Monitoring payment of franchise fees.

e. Oversight of all access agreements and obligations.

3. Viacom reports directly to TPC.

D. Access Functions

1. TPC would continue to serve as the public body which coordinates policy formation, programmatic development and funding allocation for access purposes.

2. The TPC would recognize access groups representing the needs and interests of the public, municipal agencies and educational institutions.

3. Each access group would bear primary responsibility for developing program and budget proposals based on its evaluation of the needs and interests of its constituency.

4. Such proposals would be presented to the TPC for consideration. The TPC would allocate available access monies for access development.

II. Restructure TPC: Split off regulatory functions

A. Regulatory Functions

1. Delegate all regulatory functions to the CAO,(or Clerk of the Board, or other appropriate City agency.)

2. Civil service position transferred to CAO.

3. CAO would have full authority for monitoring and enforcing compliance of Viacom's Franchise obligations, as described in Option I(C)(2).

4. Viacom reports directly to the CAO, Mayor, and the Board of Supervisors.

B. Access

1. TPC retains responsibility for access policy formation and funding allocation.

2. One of the consultant positions retained as TPC employee responsible for all access responsibilities.

3. TPC restructured: representatives from each of the three access channels appointed members,

joined by nonaffiliated members, appointed by the Board of Supervisors and the Mayor, and a Viacom representative.

III. Termination of TPC

A. Regulatory

1. CAO, or other appropriate City agency assumes responsiblity for all legitimate regulatory functions as described above, under Option I(C)(2).

2. Viacom reports directly to the CAO.

B. Access

1. Recognized access groups develop their own policies, program and budget proposals and seek support, approval and funding from Viacom, Board of Supervisors and the Mayor.

2. Responsibilty for program development would reside with the bodies most directly concerned for the success of such programs:

a. Public Access

(1) The San Francisco Community Television Corporation

b. Municipal Access

(1) The working group of representatives of municipal agencies

c. Educational Access

(1) The working group of representatives from the Unified School District, City College and SFSU.

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SF Telecommunications Policy Comm.

PUBLIC ACCESS COMMUNITY DEVELOPMENT COORDINATOR

REPORT FOR NOVEMBER, 1987

[Minutes]

PROGRAMMING

PSA day announcements generated 49 responses, unfortunately we will only be able to tape 10 PSA's on Friday, December 11. The following groups have signed up to produce PSA's:

1. Options for Women Over 40.
2. Clean Water Program
3. Neighborhood Cleanup
4. Men Overcoming Violence
5. Guatemalan News and Information Bureau
6. Juvenile Diabetes Foundation
7. Youth Power Inc.
8. Legal Assistance for the Elderly
9. Children's Council of San Francisco
10. Casa Des Las Madres

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I met with staff and talent from each of these groups and assisted them in writing their scripts, figuring out production logistics, rehearsing parts, and coordinating crew and post-production.

Twenty volunteers responded to an ad placed in the Bay Area Video Coalition's newsletter. Nine have signed up for the Viacom training.

SAN FRANCISCO COMMUNITY TELEVISION CORPORATION

I attended all meetings of the Board of Conveners, including Subcommittee meetings. I coordinated and attended the Board of Conveners one day retreat on Saturday, November 21st. I assisted in the preparation of the SFCTC's budget and plan.

I handled all matters regarding processing the San Francisco Foundation grant to SFCTc. I met with Capp Street Foundation Staff and completed all the forms and documents necessary for them to act as a fiscal agent for SFCTC until we have our tax exempt status.

I went to the KRON TV warehouse sale and found several backdrops that were in good condition, and brought them to the Channel 25 studio.

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CITY AND COUNTY OF SAN FRANCISCO

TELECOMMUNICATIONS POLICY COMMITTEE

1182 MARKET STREET, SAN FRANCISCO 94102 · TELEPHONE 558-3179

A Citizen's Committee Appointed by the Board of Supervisors

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MINUTES OF THE MEETING OF DECEMBER 10, 1987

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 4 p.m. at the Committee's office at 1182 Market Street. Members present were Abrams, Dilworth-Battle, Esteves, Layer, Leong (Chair), Levitin, Pike and Singsen.

ADOPTION OF THE AGENDA AND APPROVAL OF THE MINUTES

The November 17, 1987 minutes were approved and the published agenda was adopted.

PUBLIC COMMENT TIME

Mr. Jorge Bustamente reserved his remarks for the Public Comment time held at the end of the meeting.

THE VIACOM CABLEVISION REPORT

Ms. Sue Levitin reported that wiring in the North of Market area is now completed. Viacom is working in the Bernal Heights district which is a combination of new and old build. Underground construction is underway in the Potrero Hill area and underground conversion in the Russian Hill area has commenced but work may be affected by the rainy season.

STAFF REPORTS

The staff reports were written and covered a number of topics. In addition, Connie Brand Gordon distributed a notice concerning the telephone training tape; Dick Hoss' staff report led to the adoption of a resolution on signal testing; and Andrea Torrice discussed the use of KRON-TV owned backdrops.

MOTION: Unresolved issues as to the signal testing and evaluation contracts shall be referred to the Consumer Services Subcommittee for resolution. Seconded and carried.

THE CHAIR'S REPORT

Chair Will Leong reported on developments in the TPC's exploration of options for changing its future scope. Mr. Leong met with Mr. John L. Taylor, Clerk of the Board, on December 9th to discuss the Committee's future and its obligation to submit a budget in a timely fashion. Mr. Taylor said that the TPC may meet the deadline by submitting a budget which may later be revised to reflect the Board's decision on the TPC's future.

As to the TPC's future, Mr. Taylor is amenable to the transfer of the TPC to another department if the Board decides to do so. Mr. Leong said that he intends to talk with the CAO and other persons rather soon. He suggested that the TPC proceed with a discussion of the proposed budget with knowledge that its final form will result from the Board's decision as to the TPC's future scope.

A Discussion of the Budget

The Committee studied staff proposals for the funding of office management, and municipal, educational and public access development. The four proposals requested General Funds in an amount ($113,058) which exceeds this year's grant of $67,478 but which did not greatly exceed the amount of General Funds received in earlier years when the TPC was doing surveys.

The Committee reviewed each of the four budgets with emphasis on the following points.

Office Management -- Dick Hoss' request represents an amount close to that approved by the Board last year rather than the amount that the TPC received after the Mayor's office cut the budget. The proposed budget includes one Civil Service position and does not include the contractors' request to be paid from General Funds. The $3,700 in Materials and Supplies includes Public Access Development supplies. Hoss was attempting to raise the travel allowance back to the TPC's traditional $6,000 level.

Public Access Development -- the request includes $44,717 in General Funds in addition to a 1/3 share of the 0.2% proceeds. The Executive Director's position would be funded from two separate sources. Personnel costs would amount to $68,400. The Materials and Supplies request does not take the office management allocation into consideration. The budget assumes that $6,540 in grants which were unencumbered by June 30th will be available.

Municipal Services -- a request of $17,000 for grants to City departments may be a departure from the plan to install a videotex service.

The request for $30,500 in General Funds to pay Connie Brand Gordon must be reconciled with the $10,000 proposed for her in the Educational Access budget.

Educational Access -- reappropriation of funds unencumbered by June 30th will be dealt with elsewhere (i.e. the $13,909 for the studio). The budget proposes placing Connie Gordon on a 1/3 time basis; a request which may conflict with the Municipal Access program's increasing activity.

The Committee decided to develop a General Funds budget request which will not exceed $67,478. The members then estimated that the 0.2% proceeds will yield $66,000 next fiscal year and that that amount shall be included as income in the proposed budget.

The Committee discussed the $32,849 in access development funds which were unencumbered by June 30th for a Municipal Services Videotex System ($5,000); an Educational Services Upgrade of KALW Studio ($13,909); Municipal Services Equipment Insurance ($1,400); Public Access Training ($6,000); and Public Access Producers' Grants ($6,540). The Committee decided to request that these funds be included in the budget request as a request for reappropriation.

The three components add up $166,327

MOTION: The TPC shall submit a Fiscal Year 1988-89 budget request amounting to $166,327. The chair and staff are authorized to report this amount to the Clerk of the Board and advise him that a change in the TPC's scope will necessitate changes in the items requested. Seconded and carried.

The Chair was authorized to develop a budget draft in time to meet the Board's deadline. The Committee then discussed who will propose the revisions. The Chair suggested an ad hoc committee; Esteves and Singsen volunteered to work on the revisions.

Funds Carried-Over from Previous Years

The Committee is carrying-over $20,871 for signal testing and evaluation; and $21,690 for a bilingual subscriber study. The funds are not part of the budget process but were carried-over by the Controller at the request of the Clerk of the Board. The Committee discussed the possibility of alternative uses of the funds. The consensus was that the TPC will not ask the Clerk of the Board to change the purpose for which the funds were initially granted although some members

said that they were not adverse to changing the use of some of the funds if a cost-effective proposal is made.

MOTION: The TPC reaffirms its commitment to the original purposes for which the signal testing and bilingual funds were granted. Seconded and carried.

EXPIRATION OF TERMS OF FIVE MEMBERS

The terms of Abrams, Esteves, Kelsey, Leong and Singsen expire at midnight on January 31st. The Committee discussed the possible effect which a change in the TPC's scope may have on the size and composition of the Committee and concluded that the Committee should ask the President of the Board to defer the appointment/reappointment process for another month.

PUBLIC COMMENT

Mr. Jorge Bustamente commended the Committee on its development of a public access corporation and made detailed comments on the staffing of Channel 25. Ms. Sheri Hutson commended the Committee for its access development activity and expressed support for the Public Access Development budget request. Mr. Dan DelSolar made detailed comments on KALW's interest in the Educational Access development budget.

ADJOURNMENT

The Committee agreed to meet on January 7th at 4 p.m. to consider a single agenda item -- the TPC's future.

The Committee adjourned at 6:01 p.m.

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FINANCIAL REPORT FOR THE PERIOD ENDING NOVEMBER 30, 1987

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BUDGET ITEM	ANNUAL APPROPR.	CURRENT MONTH	FY TO DATE
Permanent Salaries (Dick)	$40,455	$3,371	$16,855
Mandatory Fringe Benefits	11,103	925	4,625
Temporary Salaries	1,000	0	0
Professional Services			
Signal Testing	20,871	0	0
Bilingual Survey	21,690	0	0
C. Brand Gordon	29,327	2,444	9,165
A. Torrice	24,075	2,292	8,022
Word Processing Maintenance	1,054	155	155
Travel			
General Funds	3,000	0	1,631
Educ. Access	2,500	0	0
Training			
Public Access	1,000	0	0
Subscriptions	900	0	0
Printing			
General Funds	250	0	0
Public Access	1,200	0	0
Producers' Grants (P.A.)	500	0	0
Other Current Services	1,100	0	20
Telephone Service	1,800	54	418
Materials and Supplies			
General Funds	1,575	87	907
P.A. Video Tapes	558	0	0
Membership Dues	700	240	240
Rental of Office	7,140	595	2,975
Equipment Purchase			
Municipal Videotex	6,338	0	0
Educ. Access Headend	18,502	0	0
City Reproduction Bureau	400	46	158
City Mail Services	1,025	47	170
TOTAL	$198,063	$10,256	$45,341

budget